

THE *Gal. 5. La*  
CHARTERS  
*Annals* OF THE *Margrave*  
CITY of LONDON,

Which have been granted by the  
Kings and Queens of England,  
SINCE the CONQUEST.

TAKEN

*Verbatim* out of the Records, exactly translated into *English*, with Notes explaining ancient Words and Terms.

MUSEUM  
AND

The *Parliamentary Confirmation*, by  
K. *William* and Q. *Mary*.

To which is annexed, the Charter of the Fifteenth of his present Majesty, and an Abstract of the Arguings in the CASE of the

*Quo Warranto*.

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By J. E.

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To the Worshipful

Sir JOHN BARNARD, Knight,  
ALDERMAN,

And Representative in Parliament for the

CITY of LONDON.

S I R,



AM very sensible, that  
Your Worship, in no wise,  
stands in need of a flatter-  
ing Dedication to publish  
Your great Abilities, and  
real Merit to the People of this Land ;  
especially to this City, whose Interest  
and Liberties You have asserted and pro-

iv     *DEDICATION.*

ted with universal Applause. Yet, to whom should this Book of Privileges seek for Protection, but to their GREAT PROTECTOR, who has deserved to be thrice chosen our Representative in the Great Senate of the Nation, and has presided with Justice and Mercy in the Execution of the supreme Magistracy, in this large and opulent City? Therefore, it is the Right Your Worship has to our Hearts and all our Endeavours, to embrace every Opportunity of acknowledging our Thankfulness for the constant and daily good Offices we receive, under Your Influence, Wisdom, and Authority, which inspires me, with a Sense of Gratitude, for myself and Fellow-Citizens, to lay those Sheets before You, not doubting your kind Acceptance of a Volume of those Privileges, which, at all Times, Your Worship has made Your greatest Care to maintain.     And,

THE main Reason of the Publication of these *Charters*, or *Privileges*, proceed *first* from a Desire to inform my Fellow-Citizens, how far this famous and celebrated

## DEDICATION. v

lebrated *Metropolis* hath been esteemed and honoured, by those Great Monarchs of this Island, who have, with the Consent and Advice of Parliament been pleased to distinguish and illustrate the same by many eminent Sanctions, Laws and Franchises, and now made, as it were *unalterable*, by the unanimous Consent of the King, Lords and Commons, the Body of the whole Nation, in the Reign of our late most illustrious and gracious Sovereigns, King *William* and Queen *Mary*, for the better and more effectual establishing to us a more lasting Estate and Condition of Wealth and Prosperity, in Ages to come. And, *secondly*, That the several Members of this Great Body, may the better know how to yield an entire Obedience to those Sacred Laws, under which they are so strictly bound for the Commonweal of the whole Body. And by their Diligence and Integrity preserve the same to latest Posterity.

THIS, I hope, will be Reason enough to expect Your Worship's Pardon, for presuming to prefix Your *Great Name*  
before



## vi DEDICATION.

before this *Little* Volume; which is the grateful Offering of One, who is an hearty Well-wisher to the Prosperity of this Great and Opulent City, and a real Admirer of those eminent Virtues, which so brightly distinguish Your Worship above Your Fellows, and render You amiable to all true Lovers of their Country, among which, I beg to be accepted,

*Your* WORSHIP'S

*Most humble, and devoted Servant,*



T H E



# THE (I) CHARTER, &c.

**C** H A R L E S the Second, by the Grace of God, of *England, Scotland, France, and Ireland*, King, Defender of the Faith, &c. To all to whom these present Letters shall come greeting: We have seen the Charter of (2) Lord *William*, our Progenitor, formerly King of *England*, made in this Form, *William*, King, greet *William* Bishop, &c. We have also seen a certain other Charter of the said Lord *William* our Progenitor, made in this Form, *William* King, greet *William*

(1) Letters Patents, whereby the King grants Privileges Cities, Corporations, &c. they were first confirmed by the Great Seal, *Temp. Edw. Conf.* who first used this stately expression. (2) *i. e.* King, according to *Selden's Titles of Honour*, p. 36. As Kings with their Subjects of the greater name, have been ever stiled *Dominus*; so Queens have had

Bishop, &c. We have also seen another Charter of our most dear Father, Lord *Charles* the First, late King of *England*, of blessed Memory, made in this Form, *Charles* by the Grace of God, King of *England*, *Scotland*, *France*, and *Ireland*, Defender of the Faith, &c. To all to whom these present Letters shall come greeting: We have seen the Charter of Lord *William*, our Progenitor, formerly King of *England*, in this Form, *William*, King, greet *William* Bishop, and Godfrey, (1) Portgreve, and all the Burrough-men without *London*, *French* and *Englisch* friendly, I give you to understand, that I will that you enjoy all the Laws that you enjoy'd in the Days of King *Edward*: And I will that each Child be his Father's Heir, after his Father's Death. And I will not suffer that any Man do you wrong. God give you Health.

We have seen also a certain other Charter of the same *William*, our Progenitor, made after this Form, *William*, King, greet *William*, &c.

We have also seen the Charter of the Lord (2) *Henry*, our Progenitor, formerly King of *England*, drawn up in this Form, *Henry*, by the Grace of God, King of *England*, to the Bishop of *Canterbury*, and to the Bishops, and Abbots, Earls and Barons, Justices and Sheriffs, and to all his faithful Subjects of *England*, *French* and *Englisch*, greeting: K N O W ye, that

and used the Name of *Domina*. As Lady *Maud* called herself, *Imperatrix Hen. Regis filia, & Anglorum Domina*. Moreover it is remarkable, that from the Time of King *John* to the twenty third of *Henry VIII.* 311 Years and upward none of our Kings, in all that Interval, thought fit to alter this ancient Stile of *Dominus*, but were called *Domini Hibernie*, Lords of *Ireland*; tho', I suppose, no body doubts but they had the regal Power, and were Kings of *Ireland* in the same Sense as of *England*.

(1) *Port-reve*, or *Portgreve*, in the Saxon Language signifies a Governor, or Ruler of a Port, City, or Forest, which Name the Lord Mayor of *London* was called before the Conquest, until *Richard II.* mounted the Throne, whom were appointed two Bailiffs, but soon after King *John* granted them a Mayor for their chief Magistrate.

(2) The First.



Have granted to my Citizens of *London*, to hold *Middlesex* to Farm for Three Hundred Pounds, upon Account to them and their Heirs, so that the said Citizens shall place as Sheriff whom they will of themselves, and shall place whomsoever, or such one as they will of themselves, for keeping of the (1) Pleas of the Crown, and of the pleading of the same, and none other shall be Justice over the same Men of *London*, and the Citizens of *London* shall not plead without the Walls of *London* for any (2) Plea. And be they free from (3) Scot and Lot, and (4) Dane-guilt, and of all Murder. And none of them shall wage Battle. And if any of the Citizens shall be impleaded concerning the Pleas of the Crown, the Man of *London* shall discharge himself by his Oath, which shall be adjudged within the City. And none shall lodge within the Walls neither of my Household, nor any other, nor Lodging delivered by force. And all the Men of *London* shall be quit and free, and all their Goods throughout *England*, and the Ports of the Sea, of and from all (5) Toll, and (6) Passage, and (7) Lestage, and all other Customs. And the Churches, and Barons, and Citizens, shall and may peaceably and quietly have and hold their

(1) *Pleas of the Crown*, are all Suits in the King's Name, or Offences committed against his Crown and Dignity.

(2) *Plea* is what either the Plaintiff or Defendant alledgeth for himself in Court.

(3) Contributions laid upon Subjects.

(4) A Tax imposed on our *Saxon* Ancestors by King *etheldred*, first of one, then of two Shillings on every Hide of Land, for clearing the Seas of *Danish* Pirates that then infested our Coasts. This was given to the *Danes* on Terms of Peace and Departure, who received at first 10000*l.* then 6000*l.* then 24000*l.* then 34000*l.* and at last 48000*l.* *Henry I.* and *Stephen*, released them finally from paying this Tax. *Vide Postea.*

(5) Tribute.

(6) Thro' a Town, or Port, Gates, or Bridges.

(7) A Toll paid for Liberty for Persons to carry their Goods up and down to Marts, Markets, and Fairs.



(1) Sokes, with all their Customs, so that the Strangers that shall be lodg'd in the Sokes, shall give Custom to none but him to whom the Sokes appertain, or to his Officer whom he shall there put. And a Man of *London* shall not be adjudg'd in (2) Amerciaments of Money, but of 100 Shillings (I speak of the Pleas which appertain to Money.) And further, there shall be no more (3) miskenning in the (4) Hustins, nor in the (5) Folkmote, nor in any other Pleas within the City. And the Hustins may sit once in a Week, that is to say, on *Monday*. And I will cause my Citizens to have their Lands, Premisses, Bonds and Debts within the City, and without. And I will do them right, by the Law of the City, of the Lands of which they shall complain to me. And if any shall take Toll or Custom of any Citizen of *London*, the Citizens of *London* in the City shall take of the Borough or Town where Toll or Custom was so taken, so much as the Man of *London* gave for Toll, and as he received Damage thereby. And all Debtors which do owe Debts to the Citizens of *London*, shall pay them in *London*, or else discharge them themselves in *London*, that they owe none: But if they will not pay the same, neither come to clear themselves that they owe none; the Citizens of *London*, to whom the Debts shall be due, may take their Goods in the City of *London*, of the Borough or Town, or of the County wherein he remains who shall owe the Debts. And the Citizens of *London* may have their Chases to Hunt, as well and fully as their

(1) Liberty of Jurisdiction, or Court held within it.

(2) Pecuniary Penalty.

(3) Changing a Plea in Court, when one leaves his first Declaration, or Plea, and gives another.

(4) From *Hus*, a House and Thing. *Causa*. i. e. a House where Causes are tried; or, according to Mr. *Sommer* from the *Saxon* Word *Hyhst*, or Highest, and Thing, *Judicium quasi*. The highest Court of the City of *London*.

(5) Signifies the General Assembly of the Citizens. *Vide* *Spelman*, &c.

## City of LONDON.

Ancestors have had, that is to say, in (1) *Chiltre* and in *Middlesex*, and *Surry*; witness the Bishop of *Winchester*, and *Robert* Son of *Richard*, and *Hugh Pigott*, and *Almer* of *Totnes*, and *William* of *Albsprima*, and *Hubert Roger Chamberlaine*, and *William de Mount Fitchett*, and *Hangul Taney*, and *John Ballett*, and *Robert* Son of *Steward*, of *West*.\*

Furthermore, we have seen the Charter of Lord *Henry* the Second, our Progenitor, formerly King of *England*, drawn up in the following Form: *Henry* King of *England*, Duke of *Normandy* and *Aquitaine*, and Earl of *Anjou*; to all Archbishops, Bishops, Abbots, Earls, Barons, Justices, Sheriffs, Ministers, and to all his faithful Subjects, *French* and *English*, of all *England*, greeting; K N O W ye, that I have granted to my Citizens of *London*, that none of them plead without the Walls of the City of *London* upon any Pleas, except only of Pleas of foreign Tenures (my (2) Mony-ers and Officers excepted.) Also I grant to them (3) acquittal of Murther within the City, and in (4) *Portfoken* thereof: And that none of them shall wage Battle. And of the Pleas of the Crown they may discharge themselves according to the old Usage of the City. No Man shall take Lodging by Force, or by Delivery of the Marshal. And also I have granted to them, That all the Citizens of *London* shall be quit from Toll and Lestage throughout all *England*, and the Ports of the Sea: And that none shall be adjudged for Amerciaments of Money, but according to

(1) Part of the County of *Hertford*, so called about *St. Albans*.

\* Note, That King *Stephen* granted a Charter to the whole Kingdom, confirming all the Liberties granted by King *Henry* I. And also all the good Laws and Customs of *Edward* the Confessor. See *Stow* 348.

(2) Coiners and Officers of the Mint.

(3) i. e. That the Place where it was committed, should not be fined or amerced, though the Murderer escaped.

(4) An Extent of Jurisdiction, or Liberty, from without the Gates of the City, or as some take it, the Liberty within the Port or City of *London*.

the Law of the City, which they had in the Time of King *Henry*, my Grandfather. And that there shall be no miskenning in any Plea within this City. And that the Hustings shall be kept once a Week, and they justly have their Lands, and Tenures, and Premisses, and all their Debts, whosoever do owe them; and that Right be done them according to the Custom of the City, of all their Lands and Tenures which be in the City, and of all their Debts which were lent at *London*, and of Premises there made Pleas to be holden in *London*. Also I do grant to them that they may have their Huntings wheresoever they had the same in the Time of King *Henry*, my Grandfather. And if any in all *England* shall take any Custom or Toll of, or from, the Men of *London*, after he shall fail of Right, the Sheriff of *London* may take Goods thereof at *London*.

*Furthermore*, also for the Advancement of the said City, I have granted to them, that they shall be free and quit of (1) *Bridtol*, (2) *Childwite*, and (3) *Jerefgive*, and (4) *Scotale*, so as the Sheriff of *London*, or any other Bailiff, may take no *Scotale*. These aforesaid Customs I do grant unto them, and all their Liberties and free Customs, which they had in the Time of King *Henry*, my Grandfather, whensoever they had them more better and free, wherefore I Will, and stedfastly Command, that they, and their Heirs, may have and hold all these Things aforesaid, by Inheritance of me and my Heirs: Witness the Archbishop of

(1) Or Bridge-Toll, Money paid for passing a Bridge.

(2) The same with *Leirwite*, or *Lecherwite*, i. e. Money paid, or a Punishment for corrupting, or getting a Bondmaid with Child.

(3) A Toll or Fine, taken by the King's Officers, on a Person's entring into an Office; or rather a Sum, or Bribe given to them to connive at Extortion, or other Offence in him that gives it.

(4) A Practice of the King's Officers, who kept Alehouses, or brew'd Liquors, and forced Men to come to their Houses and pay Contributions (called *Scotales*) for fear of their Displeasure.

*Canterbury,*



# City of LONDON.

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*Canterbury, Rob. Bishop of London, Ph. Bishop of Bath, Edward Bishop of Exon, Th. Chancellor, Rich. of Newberry, R. of Warron, Rich. of St. Wal. Wasb Mamot, Rich. of Lucy, Conar Son of Garold, Mannell Bissett, Lcc Baillolio at Westm.*

We have also seen the Charter of Lord *Richard* the First, formerly King of *England*, Duke of *Normandy*, and Earl of *Anjou*, to his Archbishops, Bishops, Abbots, Earls, Barons, Justices, Sheriffs, Ministers, and all others his faithful *English* and *French* People, greet : K N O W ye, that we have granted to our Citizens of *London*, that none of them may plead without the Walls of the City of *London*, for any Pleas, saving Pleas of foreign Tenures (except our Moneyers and Ministers.) Also we have granted to them acquittal of Murther within the City, and in *Portoken* ; and that none of them may wage Battle, and that they may discharge themselves of the Pleas belonging to the Crown, according to the antient Custom of the City ; and that none may take any Lodging within the Walls of the City, by Force, or by Delivery of the Marshal. This also we have granted unto them, that all the Citizens of *London* be free from Toll and Lestage, throughout all *England*, and the Sea Ports ; and that none be adjudged of Amerciaments of Money, but according to the Law of the City, which they had in the Time of King *Henry*, Grandfather to *Henry*, our Father, and that there be no miskenning in any Plea within the City, and that the Hustings be kept only once a Week, and they justly have all their Lands and Tenures, and Premisses, and all other their Debts, whosoever do owe them to them ; and that Right be done to them, according to the Custom of the City, of all their Lands and Tenures which they have within the City, and of all their Debts which shall be lent at *London*, and of Promises there made, the Pleas shall be holden at *London* ; and if any, in all *England*, shall take Toll or Custom of the Men of *London*, after that he shall fail of Right, the Sheriff of *London* may take Goods therefore at *London*. Also we have granted unto them, that they may have their Huntings wheresoever they had



had the same in the Time of King *Henry*, Grandfather to *Henry*, our Father.

Furthermore, Also for the Advancement of the City, we have granted to them, that they all be acquit of all *Brid-Toll*, *Childwite*, and *Jerescive*, and *Scotale*; so that no Sheriff of *London*, or any other Bailiff shall make any *Scotale*. The said Customs we do grant to them, and all other Liberties, and free Customs, which they had in the Time of King *Henry*, Grandfather to *Henry* our Father, when as they more better and freely had the same. Wherefore, we Will and stedfastly Command, that they and their Heirs have and hold all their Things aforesaid, of us and our Heirs. Witness *Hub.* Archbishop of *Canterbury*, *R.* Bishop of *Lincoln*, *Ralph* Earl of *Chester*, *R.* Earl of *Glarence*, *William* Marshal, *Roger* Bigott, *Jeophery* Son of *Peter*, *Hugh* Bardolph, *William* Brewer, *William* Warren, given by the Hand of *William* Bishop of *Ely*, our Chancellor, at *Winchester*, 23 April, 5th Year of our Reign.

We have also seen a certain other Charter of the said Lord *Richard*, by the Grace of God, King of *England*, Duke of *Normandy*, and Earl of *Anjou*. To his Archbishops, Bishops, Abbots, Earls, Barons, Justices, Sheriffs, Stewards, Castle-keepers, Justices, Constables, Bailiffs, Ministers, and all his faithful Subjects, Greeting: KNOW ye all, that we, for the Salvation of our Soul, and for the Soul's Salvation of King *Henry*, our Father, and all our Ancestors Souls; and also for the Common-weal of our City of *London*, and of all our Realm, Have granted, and stedfastly commanded, that all (1) Wears that are in the *Thames*, be moved wheresoever they shall be within the *Thames*; and that no Wears be put any way within the *Thames*. Also we have clearly (2) quit claimed all that which the Keepers of our Tower of *London* was wont yearly to receive of the said Wares. Wherefore we Will, and stedfastly Command, that no Keeper of the said Tower,

(1) Or Wears, i. e. Stanks, or great Dams, fitted for taking of Fish; as also for conveying the Stream to a Mill.

(2) Remitted all Exactions by reason of the said Wears.

at any Time hereafter, shall exact any thing of any one, neither molest, or burden, or any Demand make of any Person, by reason of the said Wears; for it is manifest to us, and by our Right Reverend Father, *Hubert* Archbishop of *Canterbury*, and other our faithful Subjects, it is sufficiently given us to understand, that great Detriment and Discommodity hath grown to our said City of *London*, and also to the whole Realm, by Occasion of the said Wears; which Thing, to the Intent it may continue for ever firm and stable, we do fortify by the Inscription of this present Page, and the putting to our Seal, these being Witnesses, *John* of *Worcester*, *Hugh* of *Coventry*, Bishops; *John* Earl of *Morton*, *Ralph* Earl of *Chester*, *Robert* Earl of *Leicester*, *William* Earl of *Arundel*, *William* of *St. Mary's Church*, *Peter* Son of *Hereb*, *Matthew* his Brother, *Simon* of *Rima*, *Scherio de quincero*. Given by the Hand of *Mr. Eustace*, Dean of *Salisbury*, Vice-Chancellor, then Agent at the Isle of *Audlyer*, the fourteenth Day of *July*, in the eighth Year of our Reign.

We have also seen the Charter of *Lord John*, sometime King of *England*, our Progenitor, in these Words: *John*, by the Grace of God, King of *England*, Lord of *Ireland*, Duke of *Normandy*, *Aquitain*, and Earl of *Anjou*: To all Archbishops, Bishops, Abbots, Earls, Barons, Justices, Sheriffs, Ministers, and all his Majesty's faithful Subjects, *French* and *English*, Greeting: KNOW ye, that we have granted to our Citizens of *London*, that none of them shall plead without the Walls of the City of *London*, of no Pleas, saving the Pleas of foreign Tenures (our Moneyers and Ministers being excepted.) Also we have granted to them acquittal of Murder within the City, and the Portoken; and none of them shall wage Battle; and of the Pleas belonging to the Crown they may discharge themselves, according to the antient Custom of the City. And that within the Walls of the City, nor Portoken, no Man shall take any Lodging by Force, or Delivery of the Marshal. And also we have granted to them, that all the Citizens of *London* shall be quit from Toll, or Lestage, and every other Custom through-

throughout all our Lands on this Side, and beyond the Seas. And that none shall be adjudged for Amerciaments of Money, but according to the Law of the City, which they had in the Time of King *Henry*, Grandfather to *Henry*, our Father. And that there shall be no miskenning in any Plea in the City. And that the Hustings shall be kept once every Week, and they justly have their Lands, and Tenures, and Premises, and all other their Debts, whosoever owe them. And that Right be holden to them of their Lands and Tenures, which be within the City, according to the Custom of the said City, and of all their Debts which shall be lent at *London*. And that Pleas of all Promises there made be holden at *London*. And if any in any of our Lands on this Side, or beyond the Seas, shall take any Toll, or any other Custom from the Men of *London*, after that he shall fail of Right, may take Goods therefore at *London*. And we do grant unto them, that they may have their Huntings wheresoever they had the same in the Time of King *Henry*, Grandfather to our Father. Furthermore, for the Advancement of the said City, we have granted unto them, that they shall be free and quit of all *Brid-Toll* and *Childwite*, and of *Jeresgive*, and *Scotale*, so as the Sheriff of *London* nor any other Bailiff may make any *Scotale*. These aforesaid Customs we do grant, and all other Liberties and free Customs, which they had in the Time of King *Henry*, Grandfather of *Henry*, our Father, when as more freely and better they had the same: Wherefore we Will, and stedfastly Command, that they and their Heirs may have, and hold all these Things aforesaid hereditarily, and wholly of us and our Heirs. Witness *Hubert* Archbishop of *Canterbury*, our Chancellor, *William* of *London*, *E. of Ely*, *G. of Gloucester*, *G. of Worcester*, Bishops; *Godfrey*, Son of *Peter*, Earl of *Essex*, *William Marshal* Earl of *Pembroke*, *Hamel* Earl of *Warren*, *R. Earl of Clarence*, Earl *Roger*, Lord *Bigot*, *William* Earl of *Arundel*, *William D. Braos*, *Roger* Son of *Roger*, *Hugh Borg*, *Will. Bridg*, *Warren*, *William D. Warren*, *Stephen D. Truncham*, *Simon de Passus*. Given by the Hands of *Hubert*,  
Arch-



Archbishop of *Canterbury*, our Chancellor, at *Forham*, the 17th Day of *June*, in the first Year of our Reign.

We have seen other Charters of the aforesaid Lord *John*, our Progenitor, made in these Words : *John*, by the Grace of God, King of *England*, Lord of *Ireland*, Duke of *Normandy*, *Aquitain*, and Earl of *Anjou* : To his Archbishops, Bishops, Abbots, Earls, Barons, Justices, Sheriffs, Rulers, and to all his Bailiffs, and loving Subjects : KNOW ye, that we have granted, and by this our present Writing confirmed to our Citizens of *London*, the (1) Sheriffwick of *London* and *Middlesex*, with all the Customs and Things to the Sheriffwick belonging, within the City and without, by Land and by Water, to have and to hold, to them and their Heirs, of us and our Heirs, paying therefore 300*l.* of Blank Sterling Money, at two Terms in the Year, that is to say, at the *Easter* Exchequer 150*l.* and at the *Michaelmas* Exchequer 150*l.* Saving to the Citizens of *London* all their Liberties and free Customs. And further we have granted to the Citizens of *London*, that they, amongst themselves, may make Sheriffs whom they will, and may amove them when they will, and those whom they make Sheriffs they shall present to our Justices of Exchequer, of these Things which to the said Sheriffwick appertain, whereof they ought to answer us ; and unless they shall sufficiently answer and satisfy, the Citizens may answer and satisfy us the Amerciaments and Farm, saving to the said Citizens their Liberties as is aforesaid, and saving to the said Sheriffs the same Liberties which other Citizens have ; so that they which shall be appointed Sheriffs for the Time being, shall commit any Offence, whereby they ought to incurr any Amerciament of Money, they shall not be condemned for any more than to the Amerciament of 20*l.* and that without the Damage of other Citizens, if the Sheriffs be not sufficient for the Payment of their Amerciaments : But if they do any Offence where they ought to incurr the Loss of their Lives, or Members, they shall be adjudged, as

(1) Sheriff's Jurisdiction.

they



they ought to be, according to the Law of the City; and of these Things, which to the said Sheriffs belong, the Sheriffs shall answer before our Justices, at our Exchequer, saving to the said Sheriffs the Liberties which other Citizens of *London* have. Also this Grant and Confirmation we have made to the Citizens of *London*, for the Amendment of the said City, and because it was in antient Times farmed for 300 *l.* Wherefore we Will, and stedfastly Command, that the Citizens of *London*, and their Heirs, may have and hold the Sheriffwick of *London* and *Middlesex*, with all the said Sheriffwick belonging to us and our Heirs, to possess and enjoy hereditarily, freely and quietly, honourably and wholly, by Fee-Farm of 300 *l.* And we forbid that none presume to do any Damage, Impediment, or Diminishment to the Citizens of *London*, of these Things which to the said Sheriffwick do, or were accustomed to appertain. Also we Will and Command, that if we, our Heirs, or any of our Justices, shall give, or grant to any Person, any of those Things which to the Form of the Sheriffwick appertain, the same shall be accounted to the Citizens of *London*, in the Acquittal of the said Farm, at our Exchequer. Witness *Edw.* of *Ely*, *S.* of *Bath*, Bishops; *Will.* Marshal, Earl of *Pembroke*; *Ralph*, Earl of *Chester*; *Will.* Earl of *Arundel*; *Robert*, Son of *Walter*; *Will.* Son of *Albin*. Given by the Hands of *Hubert* Archbishop of *Canterbury*, our Chancellor, at the good Town upon *Toke*, the 5th Day of *July*, in the first Year of our Reign.

We have seen one other Charter of the aforesaid Lord *John*, our Progenitor, made in this Form; *John*, by the Grace of God, King of *England*, Lord of *Ireland*, Duke of *Normandy*, *Aquitain*, and Earl of *Anjou*: To his Archbishops, Bishops, Abbots, Earls, Barons, Justices, Sheriffs, Stewards, Castle Keepers, Constables, Bailiffs, Ministers, and all his faithful Subjects, greeting: K N O W ye all, that we, for our Soul's

(1) *i. e.* By paying the annual Rent of 300 *l.* per annum.

Health,

Health, and for the Soul's Health of *Henry* our Father, and all our Predecessors, and also for the Common-weal of our City of *London*, and of all our Realm, have granted, and stedfastly commanded, that all the Wares which are in the *Thames*, or in *Medway*, be removed, wheresoever they shall be within the *Thames* and *Medway*; and that no Wares, from henceforth, be put any where in the *Thames* or *Medway*, upon forfeiture of Ten Pounds Sterling: Also we have clearly quit-claim'd all that which the Keepers of the Tower of *London* were wont Yearly to receive of the said Wares. Wherefore we Will, and stedfastly Command, that no Keeper of the said Tower, at any Time hereafter, exact any thing from any body, nor trouble or molest any Person, by reason of the said Wares; for it is sufficiently manifest to us, and by the Right Reverend *Hubert*, Archbishop of *Canterbury*, and by other our faithful Subjects, it is sufficiently given us to understand, that very great Detriment and Discommodity hath grown to our said City of *London*, and also to our Realm, by Occasion of these Wares; which, to the intent it may continue both firm and stable for ever, we do fortify the same by Inscription of this present Page, and putting our Seal, these being Witnesses, *Will. of London*; *Ed. of Ely*; *G. of Winchester*, Bishops; *Jeffery*, Son of *Peter*, Earl of *Essex*; *William Marshal*, Earl of *Pembroke*; *H. Earl of Warren*; *Earl Roger Pigott*; *R. Earl of Clare*; *Earl de Braas*; *Robert*, Son of *Roger*; *Hugh Bord*, *William Brewer*, *Stephen Turnham*, *William Warren*, and *Simon of Patishel*. Given by the Hands of *Hubert*, Archbishop of *Canterbury*, our Chancellor, at *Shoreham*, the 17th Day of *June*, in the first Year of our Reign.†

We have also seen a certain other Charter of the foresaid Lord *John*, made in this Form: *John*, by the Grace of God, King of *England*, Duke of *Normandy*, *Aquitain*, and Earl of *Anjou*. To his Archbishops,

† Note, It is said by *Calthorp*, in his Tract of the City Liberties, p. 15, That the King's Hand, as well as Seal, was put to this Charter; the like whereof (says he) I never did see or read before.

Bishops, Abbots, Earls, Barons, Justices, Sheriffs, Rulers, and to all his faithful Subjects, greeting: **KNOW** ye, that we have granted, and by this our present Writing confirm to our Barons of our City of *London*, that they may chuse to themselves, every Year, a Mayor, who to us may be faithful, discreet, and fit to govern the City, so as when he shall be chosen, to be presented unto us, or our Justice if we shall not be present; and he shall swear to be faithful to us; and that it shall be lawful to them, at the End of the Year, to amove him, and substitute another, if they will, or the same to remain, so as he be presented to us, or our Justice, if we shall not be present. We have granted to the same our Barons, and by this our present Charter confirmed, that they well, and in Peace freely, quietly, and wholly, have all their Liberties which hitherto they have used, as well in the City of *London* as without, and as well by Water as by Land, and in all other Places, saving to us our Chamberlainship; wherefore we Will, and straitly Command, that our aforesaid Barons of our said City of *London*, may chuse unto themselves a Mayor of themselves, in Manner and Form aforesaid, and that they may have all the aforesaid Liberties well, and in Peace, whole and fully, with all Things to the same Liberties appertaining, as is aforesaid *Witness* the Lords P. of *Winton*; *William* of *Worcester*; *William* of *Coventry*, Bishops; *William* Brigword; *Peter*, Son of *Herbert*; *Godfrey* & *Lucy*, and *John*, Son of *Hugh*. Given by the Hands of *Richard Harrister*, our Chancellor, at the New Temple, *London*, the 19th Day of *May*, in the 16th Year of our Reign.

Furthermore, We have seen a certain other Charter of the aforesaid Lord *John*, made in this Form: *John*, by the Grace of God, King of *England*, Lord of *Ireland*, Duke of *Normandy* and *Aquitain*, Earl of *Anjou*. To his Archbishops, Bishops, Abbots, Earls, Barons, Justices, Sheriffs, and to all his Bailiffs, and faithful Subjects, greeting: **KNOW** ye, that we at the Request of our Mayor, and Citizens of *London* have granted, and by this our present Writing confirmed,



Armed, that the (1) Guild of Weavers shall not, from henceforth, be in the City of *London*, neither shall be all maintained; but because we have accustomed yearly to receive 18 Marks in Money, every Year, of the said Guild, our said Citizens shall pay unto us, and our Heirs, 20 Marks in Money, for a Gift, at the Feast of St. Michael, at our Exchequer. Witness: Hubert, Archbishop of *Canterbury*; Earl of *Ely*; William of *Albermarle*; Bishop, Hugh of *Gormar*; Robert, of *Harcourt*; Thomas *Basset*; P. of *Stoke*; and R. of *Romars*. Given by the Hands of Hubert, Archbishop of *Canterbury*, at the *Gormar*, the 20th Day of *March*, in the 3d Year of our Reign.

We have also seen a Charter of the Lord Henry the Third, formerly King of *England*, our Progenitor, made in these Terms: Henry, by the Grace of God, King of *England*, Lord of *Ireland*, Duke of *Normandy*, and *Aquitain*, Earl of *Anjou*. To his Archbishops, Bishops, Abbots, Earls, Barons, Justices, Sheriffs, Rulers, and to all his faithful Subjects, greeting: KNOW ye, that we have granted, and by these Presents do grant and confirm, unto the Citizens of *London*, the Sheriffwick of *London* and *Middlesex*, with all the Customs and Things to the same Sheriffwick belonging, within the City and without, by Land and by Water, to have and to hold, to them and to their Heirs, of us and our Heirs, paying therefore Yearly to us and our Heirs, Three Hundred Pounds of Blank Money Sterling, at two Times of the Year, that is to say, at the *Easter* Exchequer 150 l. and at *Michaelmas* Exchequer 150 l. saving to the Citizens of *London* all their Liberties and free Customs. And further, we have granted to the Citizens of *London*, that they, among themselves, may make Sheriffs whom they will, and may amove them when they will; and those whom they make Sheriffs, they shall present to our Justices, who may answer to us and our Justices, in our Exchequer, of those Things which to the Sheriffwick apper-

(1) A Company or incorporated Society.



tain, whereof they ought to answer us; and unless they shall well answer and satisfy us, the Citizens of *London* shall answer and satisfy the Amerciaments, and the Farm, saving to the same Citizens their Liberties as is aforesaid, and saving to the Sheriffs the same Liberties which other Citizens have; so that if they which shall be appointed Sheriffs for the Time being, commit any Thing whereby they ought to incur any Amerciament in Money, they shall not be condemned for any more than to the Amerciament of 20*l.* and this without Damage of other Citizens, if the Sheriffs be not sufficient for the Payment of their Amerciaments: But if they do any Offence whereby they ought to incur the Loss of their Lives, or Members, they shall be adjudged according to the Law of the City; but of these Things, which to the Sheriffwick belong, the Sheriff shall answer before the Justices of the Exchequer, saving to the Sheriffs the Liberties which other Citizens have. Also the Grant and Confirmation we have made to our Citizens of *London*, for the Amendment of the said City, and because it was anciently to be at the Farm of 300*l.* therefore we Will, and straitly Command, that the Citizens of *London*, and their Heirs aforesaid, may have and hold the Sheriffwicks of *London* and *Middlesex*, with all that to the said Sheriffwicks belongeth, of us and our Heirs, and hereditarily, freely, and quietly, honourably, and wholly, by the Farm of 300*l. per annum*, as the Charters of Lord *John*, our Father, formerly King of *England*, which we have seen, doth witness; and forbid that no Person do presume to do any Hurt, Impediment, or Diminution to our said Citizens, of Things which to the said Sheriffwick belong, or were accustomed to appertain. Also we do Will and Command, that if we, our Heirs, or any of our Justices shall give or grant to any Person, any Thing which to the Farm of the said Sheriffwick appertain, the same shall be accounted to the Citizens of *London*, in the Acquittal of the said Farm in the Exchequer yearly, as the Charter of King *John*, our Father, which they have, concerning the same, doth reasonably testify.

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Witness, Lord *Eustace* of *London*, *P. of Winchester*,  
*Joslin* of *Bath*, *Robert* of *Salisbury*, Bishops; *Herbert*,  
 of *Burgh*, Earl of *Kent*, our Justice; *Gilbert de Clare*,  
 Earl of *Gloucester* and *Hereford*; *Richard*, Son of *Ni-*  
*cholas*; and *Richard*, of *Argentine*, our Steward. Gi-  
 ven by the Hands of the Reverend *Ralph*, Bishop of  
*Chichester*, the 18th of *February*, in the 11th Year of  
 our Reign.

We have also seen a certain other Charter of the  
 same Lord *Henry*, made in this Form: *Henry*, by the  
 Grace of God, King of *England*, Lord of *Ireland*,  
 Duke of *Normandy*, *Aquitain*, and Earl of *Anjou*.  
 To his Archbishops, Bishops, Abbots, Earls, Barons,  
 Justices, Sheriffs, Rulers, Bailiffs, and his faithful  
 Subjects, greeting: : K N O W ye, that we have  
 granted, and by this present Charter confirmed, to our  
 Barons in our City of *London*, that they may chuse to  
 themselves every Year a Mayor, who may be to us  
 faithful, discreet, and fit for the Government of the  
 City; so as when he is chosen he may be presented un-  
 to us, or our Justices if we be not present, and shall  
 swear to be faithful to us. And that it shall be lawful  
 for them, in the End of the Year, to amove him, and  
 to substitute, or if they will, to retain him still, so as  
 always that he be presented to us, or our Justices if we  
 be not present. Also we have granted to the said Ba-  
 rons, and by this present Charter confirmed, that they  
 may have well, and in Peace freely, quietly, and  
 wholly, all their Liberties, which hitherto they used,  
 as well in the City of *London* as without; and as well  
 in the Water as on the Land, and in all other Places;  
 giving to us our Chamberlainship: : Wherefore we  
 Will, and straitly Command, that our Barons of our  
 said City of *London*, may chuse to themselves a Mayor  
 of themselves, every Year, in manner afore said, and  
 that they have all their Liberties well, and in Peace,  
 wholly, and fully, with all that to the said Liberties  
 belongeth, as the Charter of the Excellent Lord *John*,  
 King of *England*, which we have seen, doth reasonably  
 testify. Witness the Lord *Eustace* of *London*, *P. of*  
*Winton*, *Jo. of Bath*, *Robert* of *Salisbury*, Bishops;

*Hubert de Burgo*, Earl of *Kent*, our Justice ; *Gilbert de Clare*, Earl of *Gloucester* and *Hereford* ; *Ralph*, Son of *Nicholas* ; *R. of Argentine*, our Steward. Given by the Hands of the Reverend Father *Ralph*, Bishop of *Chichester*, the 18th Day of *February*, in the 11th Year of our Reign.

We have seen a certain other Charter of the said Lord *Henry*, our Progenitor, made in this Form : *Henry*, by the Grace of God, King of *England*, Lord of *Ireland*, Duke of *Normandy*, *Aquitain*, and Earl of *Anjou*. To the Archbishops, Bishops, Abbots, Earls, Barons, Justices, Sheriffs, Stewards, Castle-Keepers, Constables, Bailiffs, Ministers, and all his faithful Subjects, greeting : YE shall all know, that we, for our Soul's Health, and for the Soul's Health of King *John*, our Father, and for the Soul's Health of all our Ancestors, and also for the Common-weal of our City of *London*, and of all our Realm, have granted and strictly commanded, that all the Wares which are in the *Thames*, or in *Medway*, shall be amoved, and that no Wares, from henceforth, be put any where in the *Thames* or *Medway*, upon forfeiture of Ten Pounds Sterling. We have also quit-claimed all that which the Keepers of our *Tower* of *London* was wont Yearly to receive of the aforesaid Wares ; wherefore we Will, and stedfastly Command, that no Keeper of the *Tower*, at any Time hereafter, exact any thing from any, or bring any Demand, Burthen, or Trouble to any Person, by reason of the aforesaid Wares ; for it fully appears to us, and it is sufficiently given us to understand, by the Right Reverend Father in God, *Hubert*, Archbishop of *Canterbury*, and by others our faithful Subjects, that very great Hurt and Discommodity hath grown to the aforesaid City, and also to our said whole Realm, by occasion of the aforesaid Wares, which Thing, that it may continue firm and stable for ever, we have fortified the same by the Inscription of the Page, and putting to our Seal, as that Charter of the Lord *John*, our Father, which the Barons of *London* have from thence, doth reasonably testify. Witness, the Lord *Eustace* of *London*, *Peter* of *Winton*

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*Joslin* of *Bath*, *R.* of *Salisbury*, Bishops; *Hubert de Burgo*, Earl of *Kent*, and our Justice; *Gilbert de Clare*, Earl of *Gloucester* and *Hereford*; *Ralph*, Son of *Nicholas*; and *R.* of *Argentine*, our Steward. Given by the Hands of the Reverend Father, *Ralph*, Bishop of *Chichester*, our Chancellor, at *Westminster*, the 18th Day of *February*, in the 11th Year of our Reign.

We have also seen a certain other Charter of the abovesaid Lord *Henry*, our Progenitor, made in these Words: *Henry*, by the Grace of God, King of *England*, Lord of *Ireland*, Duke of *Normandy*, and *Aquitain*, Earl of *Anjou*. To all Archbishops, Bishops, Abbots, Priors, Earls, Barons, Justices, Ministers, and all our faithful Subjects, *French* and *English*, greeting: KNOW ye, that we have granted to our Citizens of *London*, that none of them shall plead without the Walls of the City of *London*, saving the Pleas of foreign Tenures (our Moneyers and Ministers excepted.) And we have granted to them acquittal of all Murder within the City, and *Portoken*, and that none of them shall wage Battle, and that they may discharge themselves of the Pleas belonging to the Crown, according to the antient Custom of the City; and that within the Walls of the City, and *Portoken*, no Man may take any Lodging by force, or delivery of the Marshal. This also we have granted to them, that all the Citizens of *London* be quit of Toll and Lestage, and of all other Customs throughout all our Lands, on this Side, or beyond the Seas. And that none be condemned of any Amerciaments of Money, but according to the Law of the City, which they had in the Time of King *Henry*, Grandfather to King *Henry*, our Grandfather: And that no miskenning be in any pleading in the City, and that the Hustings be kept once only a Week. And that they may justly have all their Lands and Promises, and Debts, whosoever owe them to them, and that Right be holden to them of all their Lands and Tenures which be in the City, according to the Custom of the City: And that Pleas be there holden of all Debts which be lent at *London*, and of all Promises there made. And if  
any

any shall take any Toll, or any other Custom, of our Men of *London*, in any our Lands on this Side, or beyond the Seas, or in the Ports of the Seas on this Side, or beyond the Seas, after that he shall fail of Right, the Sheriffs of *London* may take Goods for the same: Also we do grant for them, that they may have Hunting wheresoever they had in the Time of King *Henry*, Grandfather to King *Henry*, our Grandfather. Furthermore also, for the Amendment of the said City, we have granted to them, that they be all quit from *Bridtoll*, *Childwite*, *Feresgive*, and of all *Scotale*; so that our Sheriff of *London*, or any other Bailiff, shall not make any *Scotale*. These Customs aforesaid we do grant to them, and all other Liberties and free Customs which they had in Time of King *Henry*, Grandfather to King *Henry*, our Grandfather, when as they had the same better, and more freely, as the Charter of the Lord *John*, our Father, which they have of the same, doth reasonably testify. Wherefore we Will, and steadfastly Command, that they and their Heirs may have and hold all these Things aforesaid hereditarily, of us and our Heirs, these being Witnesses; the Lord *Eustace* of *London*, *Joslin* of *Bath*, *Rich.* of *Salisbury*, *Peter* of *Winton*, Bishops; *Hubert de Burgo*, Earl of *Kent*, our Justice; *Gilbert* of *Clare*, Earl of *Gloucester* and *Hereford*; *Ralph*, Son of *Nicholas*, and *Richard Argentine*, our Steward; *Henry de Capel*, and others. Given by the Hands of the Reverend Father *Ralph*, Bishop of *Chichester*, our Chancellor, at *Westminster*, the 16th Day of *March*, in the 11th Year of our Reign.

We have also seen a certain other Charter of the aforesaid Lord *Henry*, made in these Words: *Henry*, by the Grace of God, King of *England*, Lord of *Ireland*, Duke of *Normandy* and *Aquitain*, Earl of *Anjou*. To his Archbishops, Bishops, Abbots, Priors, Earls, Barons, Justices, Sheriffs, Rulers, Ministers, Forresters, and all Bailiffs, and faithful Subjects, greeting: KNOW ye, that we have granted, and by this present Charter confirm'd, for us and our Heirs, unto our Archbishops, Bishops, Priors, Earls, Barons, Knights,

Knights, Freeholders, and to all of the County of *Middlesex*, that all the Warren of *Stayns*, with the Appurtenances, be unwarrened and disforested for ever, so that all they aforesaid, and their Heirs or Successors, may have all Liberties and Benefit of Warren and Forest in the aforesaid Warren, wherein they may till or plough all their Lands, and cut all their Woods, and dispose the same at their Will, without the View or Contradiction of his Warreners or Foresters, and all their Ministers, and within the which no Warrener or Forester, or Justice of our Forest, shall nor may any thing meddle with their Lands or Woods, neither with their Herbage or Hunting, or Corn, neither by any Summons, or Distress, shall cause them, their Heirs or Successors, to come before our Justices of the Forest, or Warreners, by occasion of the Lands and Tenements, situate in those Parts where the said Warren was wont to be, but that they and their Heirs and Successors, and their Lands and Tenements contained in the Parts, be quit and free of all Exactions, Occasions, Demands, and Attachments, and of all Things which belong to Warrens, or Forests; wherefore we Will, and stedfastly Command, that all they aforesaid, holding Lands and Tenements within the said Parts, and their Heirs and Successors for ever, have the aforesaid Liberties and Freedoms, and that their Lands and Tenements aforesaid be unwarrened and disforested for ever, and quit from all Things which either to Warren or Forest, Warreners or Foresters pertain, as is aforesaid, these being Witnesses, *Hubert de Burgo*, Earl of *Kent*, our Justice of *England*; *G.* Earl of *Gloucester* and *Hereford*; *William Marshall*, Earl of *Pembroke*; *P. d'Albemarco*; *Walter d'Everin*; *Osbert Gifford*; *Richard Argentine*; *John*, Son of *Philip*; *Richard*, Son of *Hugh*, and others. Given by the Hand of the Reverend Father *Richard*, Bishop of *Chichester*, our Chancellor, at *Woodstock*, the 18th Day of *August*, in the 11th Year of our Reign.

We have seen a certain other Charter of the said Lord *Henry*, made in this Form: *Henry*, by the Grace of God, King of *England*, Lord of *Ireland*, Duke of *Normandy*,



and *Aquitain*, and Earl of *Anjou*. To all Archbishops, Bishops, Priors, Earls, Barons, Justices, Sheriffs, Rulers, Ministers, and all Bailiffs, and his faithful Subjects, greeting. K N O W ye, that we have seen a Covenant made between *Richard*, Earl of *Cornwall*, our Brother, on the one Part, and the Mayor and Commonalty of the City of *London* on the other Part, in these Words: In the 30th Year of the Reign of *Henry*, the Son of King *John*, in the Day of the Translation of Saint *Edward*, this Covenant was made at *Westminster*, between the Right Honourable Man, *Richard*, Earl of *Cornwall*, on the one Part, and *John Gisors*, then Mayor of the City of *London*, and the Commonalty of the same City of *London*, on the other Part, for and concerning certain Exactions and Demands belonging to *Queenbith*, of the City of *London*, that is to say, that the said Earl hath granted for him and his Heirs, that the said Mayor, and all Mayors after him, and all the Commonalty of the said City, may have and hold the said *Queenbith*, with all their Liberties, Customs, and other Things to the same belonging, in Fee-farm, paying therefore yearly to the said Earls, his Heirs and Assigns, 50 *l.* at two Terms in the Year at *Clerkenwel*, that is to say, at the Close of *Easter*, 25 *l.* and in the (1) *Octave* of *St. Michael*, 25 *l.* and for the more Security thereof to the Part of the (2) Chirography remaining with the Mayor and Commonalty of *London*, the said Earl hath put his Seal; and to the Writing thereof remaining with the said Earl, the foresaid Mayor and Commonalty have set their common Seal. We therefore allowing and approving the said Covenant, do for us and our Heirs grant and confirm the same, these same being Witnesses; *Ralph*, Son of *Nicholas*, *Richard d'Grey*, *John* and *William*, his Brothers, *Paul Pain*, *Ralph d'Waunty*, *John Guband*. Given by our Hand at *Windsor*, the 26th Day of *Feb.* in the 31st Year of our Reign.

(1) The eighth Day after Michaelmas.

(2) Conveyance or Deed of Gift.

We have also seen another Charter of the aforesaid Lord *Henry*, made in this Form: *Henry*, by the Grace of God, King of *England*, Lord of *Ireland*, Duke of *Normandy* and *Aquitain*, and Earl of *Anjou*. To his Archbishops, Bishops, Abbots, Priors, Earls, Barons, Justices, Sheriffs, Rulers, Ministers, and all his Bailiffs, and faithful People greeting. KNOW ye, that we have granted for us and our Heirs, and confirmed it by this our present Charter, that our Mayor and Citizens of *London*, may have and hold all their Liberties, and free Customs, which they had in the Time of King *Henry*, our Grandfather, and which they had by Charters of our Ancestors, Kings of *England*, as they more freely and better had the same, and fully have and use the same for ever; and they most freely and fully have and use the same for ever. Also we have granted to the said Citizens, that every Mayor whom they shall chuse in our City of *London*, (we being now at *Westminster*) they may yearly present to the Barons of the Exchequer, that he may be admitted by them as Mayor; so that notwithstanding, at the next coming of us or our Heirs to *Westminster*, or *London*, he be presented to us or our Heirs, and so admitted Mayor. And we will, and command for us and our Heirs, that out of the Farm of our City of *London*, there be allowed to our Sheriffs of the said City yearly in his said Accompt, 7 l. at our Exchequer, for the Liberty of *St. Paul's, London*. And that our said Citizens throughout all our Dominions, as well on this Side the Sea as beyond, be quit of all Toll and Custom for ever, as in the Charter of the aforesaid Kings is granted. And we forbid, upon our Forfeiture, that none presume henceforth to vex or disquiet the said Citizens, contrary to this Liberty and our Grant, these being Witnesses: The Reverend Father *P. Bishop of Hereford*, *Richard*, Earl of *Cornwall*, our Brother, *Peter de Salund*, *John Mansel*, Provost of *Beverly*, *Mr. William Kelken*, Archif. *Coventry*, *Bartino d' Cryel*, *John d' Lassington*, *John d' Grey*, *Hen. d' Wengham*, *Robert Walreand*, *William d' Greys*, *Nicholas d' St. Mauro*, *William Ge-*

*rumé*, and others. Given by our Hand at *Windsor*, the 18th Day of *June*, in the 37th Year of our Reign.

Moreover we have seen a certain other Charter of the aforesaid Lord *Henry*, bearing Date the eleventh Day of *January*, in the fiftieth Year of his Reign, by which certain Charters amongst other Things, the said Lord *Henry* granted to the Citizens of *London*, that the said Citizens may traffick with their Commodities and Merchandizes wheresoever they please, throughout his Kingdoms and Dominions, as well by Sea as by Land, without Interruption of him or his, as they see expedient; quit from all Custom, Tolls and Paying; and may abide for their Trading wheresoever they please in the same his Kingdom, as in Times past they were accustomed, till such time it be more fully ordered by his Counsel, touching the State of the City; as by the said Letters Patents among other Things more fully appeareth.

We have seen a certain other Charter of the aforesaid Lord *Henry*, made in these Words: *Henry*, by the Grace of God King of *England*, Lord of *Ireland*, Duke of *Aquitain*. To his Archbishops, Bishops, Abbots, Priors, Earls, Barons, Sheriffs, Justices, Rulers, Ministers, and all Bailiffs, and his faithful Subjects greeting; K N O W ye, that we have granted to our Citizens of *London*, for us and our Heirs, whom of late we have receiv'd again into our Grace and Favour, after divers Trespasses and Forfeitures of them and their Commonalty to us made; for the which, both Life and Member, and all other things belonging to the said City, they have submitted themselves to our Will; and that none of them be compelled to plead out of the Walls of the said City for any thing, except foreign Tenures, and except our Monyers and Officers, and except those things which shall happen to be done against our Peace, which, according to our common Law of our Realm, are wont to be determined in the Parts where those Trespasses were done; and except Pleas concerning Merchandizes, which are wont to be determined according to the Law-merchant in the Boroughs and Fairs, by four or five of the said Citizens  
of



of London who shall be there present, saving to us the Amerciaments in any wise coming, which they shall faithfully answer us and our Heirs, upon Pain of grievous Forfeitures. We have also granted to our same Citizens acquittal of Murder, in the said City and in *Portsofen*; and that none of the said Citizens may wage Battel; and that, for the Pleas belonging to the Crown, chiefly those which may chance within the said City and Suburbs thereof, they may discharge themselves according to the ancient Custom of the said City. This notwithstanding except, that upon the Graves of the Dead, for that which they should have said if they had lived, it shall not be lawful precisely to swear. But instead and place of those deceased, which before their Deaths, to discharge those which for concerning the Things belonging to the Crown, were called and received, there may other free and lawful men be chosen, which may do and accomplish that without Delay, which by the deceased should have been done if he had lived. And that within the Walls of the City and *Portsofen*, none may take Lodgings by Force or Delivery of the Marshal.

We have also granted to our said Citizens throughout all our Dominions, wheresoever they come, to dwell with their Merchandizes and Things; and also throughout all the Sea-Ports, as well on this Side as beyond the Seas, they shall be free of all Coftage, and of all Customs, except every where our due and ancient Custom and Prices of Wines; that is to say, of one Ton before the Mast, and of one other behind the Mast of twenty Shillings the Ton, to be paid in such Form as we and our Ancestors have been accustomed to have the said Prices. And if any in any of our Lands on this Side or beyond the Seas, shall take of the Men of London, Toll, or any Custom contrary to their own Grant, except the abovesaid Prizes) after he shall fail of Right, the Sheriff may take Goods therefore at London.

We have also granted unto them, that the Hustings might be kept in every Week, once the Week, and that only by one Day; or, as notwithstanding that though things within the same Day cannot be determined

may continue till next Morning and no longer; and that Right be holden to them for the Lands and Tenures within the same City, according to the Custom of the said City, so as nevertheless, that as well Foreigners or others, may make their Attornies, as well in Pleading as Defending, as elsewhere in in our Courts. And they may not be questioned as miskenning in any their Pleas; that is to say, if they have not declared altogether well: And of all their Debts which were lent at London, and Promises there made, Pleas to be there holden according to the just and ancient Custom. Furthermore we do also grant toward the Amendment of the aforesaid City, that all be of Childwite, and Jeregive, and from Scotale. And also, that the said Citizens may justly have and hold their Lands, Tenures or Premises, and also their Debts whosoever do owe them. And that no Merchant, or other, do meet with any Merchant, coming by Land or by Water with their Merchandizes or Victuals toward the said City, to buy or sell again, until they come to the said City, and there have put the same to Sale, upon the Forfeiture of the Things brought, and Pain of Imprisonment, from whence he shall not escape without great Punishment; and that none shew out their Wares to sell, who owe any Custom, till the Custom thereof be levied, without great Punishment, and upon Pain of Forfeiture of all that Commodity of him that happens to do otherwise. And that no Merchant, Stranger, or other, may buy or sell any Wares, which ought to be weighed or troved, unless by our Beams and Trone, upon Forfeiture of the said Wares.

Moreover, those Debts, which of their Contracts or Loans shall be due unto them, may cause to be enrolled in our Exchequer, for the more Surety of them, upon the Recognizance of those who shall stand bound unto them in the said Debts; so as nevertheless, that no Person be enrolled upon the Recognizance of any Person who is not there known; or unless it be manifested concerning his Person by the Testimony of six or four lawful Men, who be sufficient to answer as well for the Debt as for the Damages which any may have

of such Recognizances, if the same happen to be falsly done under their Names: And for every Pound to be enrolled in the Exchequer, one Penny to be paid to our use, for the Charge of Sustentation of those which must attend to such inrolling: Those Liberties and free Customs we grant to them, to hold to them and their Heirs, so long as they shall well and faithfully behave themselves to us and our Heirs, together with all their just and reasonable Customs, which in time of us and our Predecessors heretofore, they have had as well for manner of their Tenures, Debts and Premises, as for all other Causes whatsoever concerning both them and the City. So long as the Customs be not contrary to right Law and Justice; saving in all Things the Liberty of the Church of *Westminster*, to the Abbots and Monks of the same Place, to them granted by the Charters of us and our Predecessors, Kings of *England*. But as touching our Jews and Merchant-Strangers, and other Things out of our foresaid Grant touching us or our said City, we and our Heirs shall provide as to us shall seem expedient. These being Witness; R. King of *Almain*, our Brother, *Edward* our first Son, *Roger of Mortimer*, *Roger de Clifford*, *Roger Leybourn*, *Robert Watraud*, *Robert Aquilor*, *Mi. Godfrey*, *Gifford* our Chancellor, *Walter de Merton*, *Mr. John Cosbill*, Archdeacon of *London*, *John de la Lind*, *William de Aette*, and others. Given by our Hand at *Westminster*, the 26th Day of *March*, in the 2d Year of our Reign.

We have seen a certain Charter, which the Lord *Edward* the first some times King of *England*, made to the aforesaid Citizens of *London*, bearing Date the 18th Day of *April*, in the 26th Year of his Reign, in which Charter among other Things it is contained, That whereas our said Citizens, by the Charters of our said Progenitors, have been accustomed hitherto to present every Mayor whom they have chosen in the said City yearly, before the Barons of Exchequer, our Progenitors, or we not being at *Westminster*, that he may be admitted by the said Barons, as Mayor for us, notwithstanding that at the next coming of our Progenitor, or



of us into *Westminster* or *London*, he may be presented to our Progenitor or to us, and so admitted Mayor. We willing to shew more ample Favour to the said Citizens in that Behalf, do grant to them for us and our Heirs, the Mayor of the said City, when he shall be chosen by the said Citizens; and also the Sheriffs of the said City when they likewise at the accustomed time shall be chosen by the said Citizens; We and our Barons, not being at *Westminster*, or *London*, they may and shall be presented and admitted to and by the Constable of the Tower of *London*, yearly, in such Sort as they before were wont to be presented and admitted, so as nevertheless, at the next coming of us or our Heir to *Westminster* or *London*, the said Mayor be presented to us or our Heirs, and admitted for Mayor. And also we have granted for us and our Heirs to our said Citizens, that they and their Successors, Citizens of the said City, be for ever quit and free of (1) Pannage, (2) Pontages, and (3) Murage, throughout all our Dominions, and that the Sheriffs of the said City, as often as it shall happen them to be amerced in our Courts, for any offence, they shall be amerced according to the Measure and Quantity of the Offence, as other the Sheriffs of our said Realm have been amerced for the like Offence. Wherefore we Will, and straitly charge and command for us and our Heirs, that the said Citizens and their Successors, have all the Liberties, Freedoms, Quittals and Free-customs aforesaid, and them may and shall use according to our Confirmation, Renovation, and Grants aforesaid for ever, as by the aforesaid Charter (among other things) more fully appeareth.

(1) Or Pannage, a Duty paid to the King for Pasturage of Cattle; but Mr. *Bohun* seems rather to think it misprinted for Pavage.

(2) A like Duty paid for passing over Bridges with Horses, Carts, Carriages, &c. or under them with Boats, Ships toward repairing such Bridges.

(3) A Contribution towards repairing the Walls and Edifice of a City.

# City of LONDON.

29

We have also seen certain Letters Patents of Lord Edward, Son of Edward, sometimes King of England, our Progenitor, made in these Words: *Edward*, by the Grace of God, King of *England*, Lord of *Ireland*, and Duke of *Aquitain*. To all to whom these Presents shall come, greeting; KNOW ye, that whereas the Mayor of the good Men of the City of *London*; have of late thankfully done us aid of armed Foot-Men, at our Castle of *Leed*, in our County of *Kent*, and also Aid of like armed Men now going with us through divers Parts of our Realm, for divers Causes. We willing to provide for the Indemnity of the said Mayor and Men of our City of *London*, in this behalf, have granted to them for us and our Heirs, that the said Aids to us so thankfully done, shall not be prejudicial to the said Mayor and good Men, their Heirs and Successors, nor shall they be drawn into consequent for time to come. In Witness whereof, we have caused these our Letters to be made Patents: Witness myself at *Aldermanston*, the 12th Day of *December*, in the fifth Year of our Reign.

We have also seen the Charter of Lord Edward the third, sometimes King of *England*, our Progenitor, made in these Words: *Edward* by the Grace of God, King of *England*, Lord of *Ireland*, and Duke of *Aquitain*. To his Archbishops, Bishops, Abbots, Priors, Earls, Barons, Justices, Sheriffs, Rulers, Ministers, and other his Bailiffs, and faithful Subjects, greeting; KNOW ye, that we for the bettering of our City of *London*, and for the good and lawful Service which our well-beloved Mayor, Aldermen, and Commonalty of the said City heretofore have often done to us and our Progenitors, with the Assent of our foresaid Earls, Barons, and all the Commonalty of our Realm, being called to this our present Parliament at *Westminster*, have granted, and by this our Charter, for us and our Heirs confirmed to the Citizens of our aforesaid City the Liberties hereunder written, to have and hold them, and their Heirs and Successors, forever First, Whereas in the Great Charter of the Liberties of *England*, it is contained, that the City of

*London* may have all their ancient Liberties and Customs; and the same Citizens at the time of the making the Charter from the Time of *St. Edward*, King and Confessor, and *William* the Conqueror, and of other our Progenitors, had divers Liberties and Customs, as well by the Charters of those our Progenitors, as without Charters by ancient Custom; whereupon in divers the Circuits, and other the Courts of our said Progenitors, as well by Judgments as by Statutes were invaded, and some of them adjudged: We Will and Grant, for us and our Heirs, that they may have the Liberties according to the Form of the abovesaid great Charter; and that Impediments and Usurpations to them in that Behalf made, shall be revoked and annulled. We have further granted for us and our Heirs to the said Citizens, their Heirs, and their Successors aforesaid, that the Mayor of the aforesaid City which for time shall be, shall be one of the Justices to be assigned of the Goal Delivery of *Newgate*, and be named in every Commission thereof to be made. And that the said Citizens may have (1) Infang-theft, and (2) Outfang-theft, and Chattels of Felons, (3) of all those that shall be adjudged before them within the Liberties of the said City, and of being in the Liberty aforesaid, at the aforesaid Goal to be adjudged. And whereas also, by the Charters of our Progenitors it was granted to the same Citizens, that they should hold the Sheriffwick of *London*, and *Middlesex*, for 300 *l.* yearly, to be paid at our Exchequer; and they are charged with the Payment of 400 *l.* yearly; every Year to be paid at our Exchequer, for the Sheriffwicks, contrary to the Form of the said Charter: We will and grant, for us and our Heirs, that the said Citizens, their Heirs

(1) A Liberty granted to Lords of Manors to try and judge any Thief taken in their Fee.

(2) Is a like Liberty for any Thief taken out of their Fee.

(3) See *Hollingsbed*, 343, that by this Charter the King granted that the Franchises of the City should not thenceforth be seized unto the King's Hands for any Cause, but only for Treason and Rebellion, shewed by the whole City.

and



and Successors, may henceforth the said Sheriffwick hold for 300 l. to be yearly paid at our Exchequer, according to the Tenor of the aforesaid Charters, and that they be from henceforth acquitted of the said 300 l. Furthermore, We have granted for us and our Heirs to the said Citizens, that they, their Heirs and Successors may bequeath their Tenements within the Limits of the aforesaid City, as well in (1) Mortmain as in other manner, as of ancient Time they have been accustomed to do. And whereas in a certain Charter of the Lord *Edward*, late King of *England*, our Father, to the said Citizens made, (amongst other things) it is contained, That the Sheriffs of the said City, as often as they shall happen to be amerced for any Offence in the said Court, shall be amerced according to the Measure and Quantity of their Offence, as other the Sheriffs of our Realm were wont to be amerced for like Offences: And as the Sheriffs of the aforesaid City, after the making of that Charter, were otherwise amerced for the Escape of Thieves than other Sheriffs were on this Side *Trent*; for such like Escapes are amerced only, as it is said, 100 s. We will and grant for us, and our Heirs, that the Sheriff of the same City, which for the Time shall be, in no wise be amerced or charged for the Escape of Thieves in any otherwise than as other the Sheriffs on this Side *Trent*: And that the aforesaid Citizens shall not be charged for the Custody of those that fly to the Churches within the aforesaid Liberty for to have Immunities, otherwise than of old hath been accustomed to be charged, any thing in the last Circuit at the Tower of *London* made or adjudged notwithstanding. And that the said Citizens may remove and take away all the Wears in the Waters of *Thames* and *Medway*; Also may have the Punishments thereof to us belonging. And we will and command streightly, that all Merchants Strangers coming to *England* shall

(1) An Alienation of Lands and Tenements to any Gild, Corporation, or Fraternity, and their Successors, which might not be done without the King's Licence.

sell their Wares and Merchandizes within forty Days after their coming thither: And shall continue and board with Free-Hosts of the said City, and other the Cities and Towns in *England*, without any Households or Societies by them to be kept. And else we will and grant for us and our Heirs, that the Marshal, Steward or Clerk of the Market of our Household, may not from henceforth sit within the Liberty of the aforesaid City, nor exercise any Office there, nor any way draw any Citizen of the said City to plead without the Liberties of the said City, of any thing to happen within the Liberties of the same. And that no Escheator or Officer may from henceforth exercise the Office of the (1) Escheator within the Liberties of the said City: But that the Mayor of the said City for the Time being may do the Office of the Escheator within the said Liberty; so as always that he take his Oath that he exercise the said Office, and that he answer thereof to us and our Heirs as he ought to do. And that the said Citizens from henceforth shall not be compelled to go or to send to war out of the said City. And that the Constable of the *Tower of London* for the Time being shall not make any Prizes, by Land or by Water, of any Victuals, or other Thing whatsoever, of the Men of the said City, or going thence: Neither shall or may arrest, or cause to be arrested, the Ships or Boats bringing Victuals or other like Goods to or from the said City. And forasmuch as the Citizens, in all good Fairs of *England*, were wont to have among themselves Keepers to hold the Pleas touching the Citizens of the said City assembling themselves at the said Fairs; We will and grant as much as in us is, that the said Citizens may have such like Keepers to hold such Pleas of their Covenants, as of ancient Time they had, (except the Pleas of the Land and of the Crown.) *Furthermore*, We grant for us and our Heirs, that the Sheriffs of the

(1) An Officer who looked after the Lands or Profits that fell to the King within his Manor, either by Forfeiture or Death.

Days and the olds will few-not said way nout open hea-ffice said the ith-his an-do-not said Lon-by ning oing be ther uch were the sem-grant have ove-pleas We the that re or said

said City for the Time being shall not be compelled to take any Oath at our Exchequer, but upon yielding up of their Accounts. And whereas the said Citizens, in the Circuit of *Henry Stanton* and Fellow-Justices of the Lord *Edward*, late King of *England*, Our Father, last Circuit at the *Tower of London*, were compelled, contrary to their ancient Customs, to claim their Liberties and Free-customs, and thereupon did claim divers Liberties by the Charters of our said Progenitors; and of other their Liberties and Free-customs of old Use and Custom, which said Claims do as yet hang before us undecided: We will and grant for us and our Heirs, that the same Citizens, their Heirs and Successors, may have the Liberties and Free-customs; and may use them as of old Time they were wont; and that they may record their said Liberties and Free-customs, before us our Justices, and other Ministers whatsoever, in such Sort as they were wont to do before the said Circuit. *Notwithstanding*, that the said Citizens in the said Circuit were impeached upon some like Record and Liberties and Free-customs aforesaid; and also notwithstanding any Statutes or Judgments made or published to the contrary. And that to the Allowance of their Charters to be had before us in our Exchequer, and other Pleas whatsoever, One Writ shall suffice in all Pleas for every King's Time. And that no Summons, Attachment, or Executions be made by any of the Officers of us or our Heirs, by Writ or without Writ, within the Liberty of the said City, but only by Ministers of the said City. And that the Sheriffs of the same City (which shall be toward the Aid of the Fame of the said City) may lawfully have the Forfeiture of Victuals, and other Things and Merchandizes, according to the Tenor of the Charter thereof made to the said Citizens; and shall not be debarred thereof hereafter contrary to the Tenor of the same Charters. And that the same Citizens, in the Circuits of the Justices, from henceforth sitting at the *Tower of London*, shall be guided by the same Laws and Customs whereby they were guided in the Circuits holden in the Time of Lord



Lord *John* and *Henry*, sometimes Kings of *England*, and others our Progenitors; and if any thing in the last Circuit was done or attempted, contrary to their Liberties and Free-customs, We will they be not prejudicial unto them, but that they may be guided as of old Time they were. We have also granted for us and our Heirs, that the same Citizens from henceforth, in and towards Subsidies, Grants and Contributions whatsoever, to be made to the use of us or our Heirs, shall be taxed and contributory with the Commonalty of our Realm, as common Persons, and not as Men of the City. And that they be quit of all other (1) Vallages, and that the Liberty of the said City shall not be taken into the Hands of Us or our Heirs for any personal Trespass or Judgment of any Minister of the said City: Neither shall a Keeper in the said City for that Occasion be deputed, but the same Minister shall be punished according to the Quality of his Offence: And that no Purveyor and Taker, Officer, and other Minister of Us and our Heirs, or of any other, shall make any Prizes in the said City, or without, of the Goods of the Citizens of the said City, contrary to their Will and Pleasure; unless immediately they make due Payment for the same, or else may have respite thereof with the Good-will of the Seller: And that no Price be made of the Wines of those Citizens by any the Citizens of Us or our Heirs, or otherwise against their Wills; that is to say, of one Ton before the Mast and behind it. Nor by any other means, but shall be quit thereof for ever. *Furthermore*, We forbid that any Officer of Us or our Heirs shall Merchandize by himself or others within the said City, or without, of any thing touching their Offices. Also We grant, that the Lands and Tenements (lying without) of the said Citizens, which have been or hereafter shall be Ministers of the said

(1) A certain Rate according to which Barons and Knights were taxed by the King towards the Expences of the State, and inferior Tenants by their Lords on certain Occasions.

City, be bound to keep the said City harmless against Us and our Heirs; of those Things which concern their Offices, as their Tenements be within the said City; And that no Market shall be henceforth granted by Us or our Heirs to any within seven Miles in Circuit of the said City. And that all Inquisitions from henceforth, to be taken by our Justices or Ministers of the said City, shall be taken in *St. Martins* (1) in *London*, and not elsewhere; except the Inquisitions to be taken in the Circuits at the *Tower of London*; and for the Goal-delivery of *Newgate*: And that none of the Freemen of the said City shall be impleaded or troubled at our Exchequer, or elsewhere, by Bill; except it be by those Things which touch Us and our Heirs. Wherefore We will and freightly command, for Us and our Heirs, that the said Citizens, their Heirs and Successors, have all their Liberties and Free-customs, and the same may use and enjoy for ever in form aforesaid. These being witness, *W. Archbishop of Cant.* *J. Bishop of Ely* our Chancellor, and others. Given at *Westminster* the 6th Day of *March* in the first Year of our Reign.

We have also seen certain other Letters Patents of the Lord *Edward* the Third, King of *England*, made in these Words.—*Edward* by the Grace of God, King of *England*, Lord of *Ireland*, and Duke of *Aquitain*; To all to whom these present Letters shall come, greeting: KNOW ye, that whereas our well-beloved the Citizens of the City of *London*, by their Petition exhibited before us and our Council in our present Parliament at *Westminster* assembled, have given us to understand, that Felons, Thieves, and other Malefactors and Disturbers of the Peace, who in the said City and elsewhere have committed Man-slaughters, robberies, and divers other Felonies, privily departing from the said City, after those Felonies committed, into the Village of *Southwark*, where they cannot be attached by the Ministers of the said City, and there are openly received: and so for Default of due

(1) le Grand.

Punishment

Punishment are more bold to commit such Felonies; And they have beseeched us, that, for the Confirmation of our Peace within the said City, bridling the Naughtiness of the said Malefactors, we would grant unto them the said Village, to have to them, their Heirs and Successors for ever, for the Farm and Rent therefore yearly due to us, to be yearly paid at our Exchequer: We having Consideration to the Premisses, with the Assent of the Prelates, Earls, Barons, and Commonalty being in our present Parliament aforesaid, have granted for Us and our Heirs to the said Citizens the said Village of *Southwark* with the Appurtenances, to have and to hold to them and their Heirs and Successors, Citizens of the said City, of us and our Heirs for ever, to pay to us by the Year at the Exchequer of us and our Heirs for ever, at the accustomed Times, the Farms therefore due and accustomed: In witness whereof we have caused these our Letters to be made Patents: Witness myself at *Westminster* the 6th Day of *March*, in the first year of our Reign.

We have also seen a certain other Charter of the same Lord *Edward* the Third: In these Words; *Edward* by the Grace of God, King of *England*, Lord of *Ireland*, and Duke of *Aquitain*: To all to whom these present Letters shall come, Greeting. KNOW ye, Whereas in our Parliament at *York*, holden the Morrow after the Ascension of our Lord, in the 9th Year of our Reign, it was ordained and enacted, That all Merchant Strangers and English born, and every of them, of what Estate or Condition soever, who would buy or sell Corn, Wine, powderable Wares, Fish, or other Victuals, Wools, Cloths, Wares, or other vendible Things whatsoever, wheresoever they were, either in Cities, Towns, Boroughs, Ports of the Sea, Fairs, Markets, or other Places in the Realm, whether within Liberties or without, might without Impediment freely sell the same Victuals or Wares to whom they pleased, as well to Foreigners as to English born; the Enemies to Us and our Realm only excepted; notwithstanding the Charters of Liberties to any Cities or Places



Places aforesaid granted to the Contrary, or Custom or Judgment upon the said Charters, as in the foresaid Statute is more plainly contained: Yet nevertheless because in the Statutes as well in our said Parliament as in other Parliaments of our Progenitors, sometimes Kings of *England*, made by us and our Progenitors, with the common Consent of the Prelates, Earls, Barons, and Commonalty of our Realm, it was granted and established, that the Great Charter of the Liberty of *England* in all and singular its Articles should be maintained and firmly observed. And in the same Charter, amongst other Things it is contained, the City of *London* may have its ancient Liberties and free Customs unhurt: And it hath been the Intent and Meaning as well of Us, as our Progenitors, and yet is, that the said great Charter in all the Articles thereof may be still observed; and that by Pretext of the said Statute or any other, nothing shall be done to the Prejudice or Infringement of the said Charter, or of any Article therein contained, or of the antient Liberties or Customs of the said City may be unjustly burthened, touching their said Liberties and free Customs, contrary to such Intent, with the Consent of the Prelates, Earls, and Barons, assistant with us in this our Parliament; Have granted for us and our Heirs, that the Citizens of the said City, their Heirs and Successors may have all their Liberties and free Customs unhurt and whole, as before these Times they more freely had the same; the aforesaid Statute for the said Merchants made to the Hurt of the Liberties and Customs of the said City notwithstanding. In Witness whereof we have caused these our Letters to be made Patents. Witness myself at *Westminster*, the 26th Day of *March*, in the eleventh Year of our Reign.

We have also seen a certain other Statute of the said Lord *Edward* the Third, late King of *England*, made in these Words; *Edward*, by the Grace of God, King of *England* and *France*, Lord of *Ireland*; to all to whom these our Letters shall come, Greeting. KNOW ye, that we being worthily careful of the Conservation and Increase of the Name and Honour of our City of

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*London*,

*London*, and at the Supplication of the Mayor, Sheriffs, and Commonalty of the said City, to us humbly made, Will and Grant, for us and our Heirs, that the Serjeants appointed to bear the Maces in our said City may lawfully carry them of Gold or Silver, or Silvered or Garnished with the Sign of our Arms, or others, every where in the said City, and in the Suburbs of the same; and in the County of *Middlesex*, and other Places to the Liberty of the said City appertaining: And also without the said City to meet with us, our Mother, Consort, or the Children of us or of our Heirs, or other Royal Persons, when we or any of us shall come to the said City; and also in going forth with us, or any of us, when we shall depart from the said City; and also in the Presence of us, our Mother, or Consort, or our Children, when the said Mayor, or Sheriffs, or Aldermen of the said City, or any of them shall come to us, or our Heirs, at, or without the Command or Warning of us, or any of us: And as often as it shall happen any of the said Serjeants to be sent to Foreign Places, and without the said City, to do their Office at the Command of us, or of the Mayor or Sheriffs aforesaid, they may lawfully carry, going and coming, publickly, as our own Serjeant at Arms attending our Presence do carry their Maces, any Ordinance or Commandment made to the Contrary notwithstanding. in Witness whereof we have caused these our Letters to be made Patents. Witness my self at *Westminster*, the 10th Day of *June*, in the 28th Year of our Reign of *England*, and of *France* the 15th.

We have also seen certain Letters Patents of our Lord *Edward*, late King of *England*, the Third, in these Words; *Edward*, King of *England* and *France* and Lord of *Ireland*, to all to whom these Letters shall come, Greeting: KNOW ye, that whereas amongst other Liberties granted to the Citizens of our City of *London*, by the Charters of our Progenitors Kings of *England*, which we have confirmed, and by ours hath been granted unto them, that all Merchant Strangers coming into *England* shall remain at Boar

with the Free-Hosts of the City aforesaid, and of other Cities and Towns in *England*, without keeping any Houses or Societies by themselves: And that there shall be no Brokers of any Merchandize from henceforth, unless they were chosen thereunto by the Merchants in the Mysteries in which the said Brokers exercise their Offices; and thereupon at least do take their Oaths before the Mayor of the said City.\* And also, that the Merchants who were not of the Freedom of the said City should not sell by Retail any Wines or other Wares within the said City, or the Suburbs thereof. And now our well-beloved Subjects, the Mayor, Aldermen, and other Citizens of the said City, have humbly beseeched us by their Petition exhibited in these Words: To our Lord the King, and his good Council, do shew the Liege, Mayor, Alderman, and Commonalty of the City of *London*; that whereas they have often sued in divers Parliaments to have Consideration how that they are impoverished and undone, by Reason their Liberties by him and his Progenitors to them granted are restrained, and great Part taken away: And now at the last Parliament holden at *Westminster* it was answered to them, that they should declare their Grievs specially, and they should have good Remedy therefore, of which Grievs (among divers others) these be; that every Stranger might dwell in the said City, and keep a House, and be a Broker, and sell and buy all manner of Merchandizes by Retail; and one Stranger to sell to another to sell again, to the great enhancing the Prices of Merchandizes, and a Cause to make them remain there more than Forty Days: Whereas in Times past no Merchant Stranger might use any of these Points, contrary to the Franchises of the said City, before these

(\*) N. B. A Charter was granted in Parliament to the City of *London* Ann. 7. R. 2. (which is omitted in this Confirmation) See *Cottons* Rec. 294. 466. &c. by which Charter all their antient Liberties and Customs are Restored and Confirmed; all which you may find Collected, and alphabetically Digested, in a Tract said to be Compiled by Sir *Henry Calthorp*, Knt. and Printed Anno 1642.



Times had and used; by which Grievance the Merchants of the said City are greatly impoverished, and the Navy impaired, and the Privities of the Land by the said Strangers discovered to our Enemies by Spies, and other Strangers into these Houses received. May it therefore please your Majesty and Council, to ordain in this Parliament, that the Merchants Strangers may be restrained in the Points aforesaid, and the Mayor, Aldermen, and Commons of the City may enjoy the said Franchises. *We*, for the special Affection we bear to the said Citizens, willing to provide for the Tranquillity and Profit of the said Citizens in that behalf, with the Assent of our Prelates, Nobles, &c. have granted for us and our Heirs to the said Mayor and Aldermen, and Citizens of the said City, and their Successors, upon Condition they put the said City under good Government, to our Honour and Profit of our Realm of *England*, and right govern the same; that no Strangers from henceforth shall sell any Wares in the same City, or Suburbs thereof, by Retail; nor shall keep any House, nor be a Broker in the said City, or the Suburbs thereof, any Statute or Ordinance made to the Contrary notwithstanding; Saving always to the Merchant of *high Almaine* their Liberties, by us and our Progenitors to them granted and confirmed. In Witness whereof we have caused these our Letters to be made Patents. Witness myself at *Westminster*, the Fourth Day of *December*, in the 50th Year of our Reign of *England*, and of our Kingdom of *France* the 37th.

And we have seen the Charter of Lord *Henry* the Fourth, late King, bearing Date the 25th Day of *May*, in the First Year of his Reign, made to the Citizens aforesaid, in which Charter is contained among other Things, as followeth: And moreover, of our ample Grace we have granted for us and our Heirs as much as in us is, to the same Citizens, their Heirs and Successors, as aforesaid, that they shall have the Custody as well of the Gates of *Newgate* and *Ludgate* as all other the Gates and Posterns of the said City and also the Office of the Gathering of the Tolls and Custom

Customs in Cheap and Billingsgate and Smithfield, there rightfully to be taken and accustomed; and also the Tronage, that is to say, the Weighing of Lead, Wax, Pepper, Allom, Madder, and other like Wares, within the City for ever; as by the said Charters, among other Things, more plainly may appear.

*We* have seen the Charter of Lord *Edward* the Fourth, late King of *England*, in these Words; *Edward*, by the Grace of God, King of *England* and *France*, and Lord of *Ireland*, to all Archbishops, &c. Greeting: Although as we understand such Things altogether as ought to be holden and determined by Conservators of the Peace, and Justices assigned for hearing and determining divers Felonies, Trespasses, and Misdemeanors, in all the Counties of our Realm of *England*, by the Kings Authority, by Vertue of the Ordinances and Statutes of our Realm aforesaid, made for the Good of the Peace, and Rule of our People, have always, time out of mind, been used and well affirmed, and yet be in our City of *London*: Nevertheless to the end that from henceforth one good, certain, and undoubted manner may be continually had in our City, for the Conservation of the Peace, and Governing our People of the same; and that the same may always be, and remain a City of Peace and Quietness. *We* Will of our meer Motion, and by Tenor of these Presents do grant for us, and as much as in us is, to the Mayor and Commonalty of the City aforesaid, and to the Citizens of the same, and to their Successors for ever, that they may have and hold all and singular their Liberties and Authorities, Acquittals and Franchises underwritten; that is to say, that from henceforth the Mayor and Recorder of the said City who now be, and their Successors, and the Mayors and Records which for the time shall be, as well those Aldermen which before this time have been Mayors of the same City, as other Aldermen who shall hereafter sustain the Charge of Mayoralty, and shall not be thereof dismissed as long as they shall there remain Aldermen for ever; shall be Conservators of the present Peace of our City, and the Peace of our Successors

sors of the said City and Liberties thereof, as well by Land as by Water. And to keep or cause to be kept all Ordinances and Statutes, made and to be made for the Good of our Peace, and for the Quietness, Rule, and Government of our People, in all their Articles, as well within the City aforesaid as the Liberty and Suburbs of the same, as well by Land as by Water, according to all the Force, Form and Effect of the same. And to chastise and punish whom they shall find offending, contrary to the Form and Effect of the said Ordinances and Statutes, as according to the Form of the Ordinances and Statutes aforesaid should be done. We will also and grant to the said Mayor and Commonalty and Citizens, and their Successors, that the now Mayor and his Successors aforesaid, and the Recorder of the said City which for the Time shall be; And such Aldermen as aforesaid, or four of the same, Mayor, Recorder, and Aldermen, of whom we will that such Mayor for the Time being and his Successors to be one, be Justices, and have so assigned them Justices for us and our Successors for ever; To enquire, hear, and determine, as often and at such Times as to them shall seem meet, of all manner of Felonies, Trespasses, Forestalling and Regratings, Extortions, and other Misdemeanors within the said City, or the Liberties or Suburbs thereof, as well by Land as by Water, by whomsoever, or after what manner soever, done or committed, and which from henceforth shall happen to be done: And also to hear and determine, and execute all and singular other Things which shall pertain to our Justices of Peace within our Realm of *England*. So always, that the said Mayor and Citizens, and their Successors, may have and hold all and singular their ancient Liberties and Customs whole, free and sound, the Premises in any Thing notwithstanding. Given to our Sheriffs of the City aforesaid for the Time being, and to their Successors, and to all whatsoever Citizens of the said City, which now be, and which hereafter for the Time shall be, by Tenor of these Presents; straightly in Commandment, that they be attendant, counselling,

answering



answering and aiding the said Keepers of the Peace aforesaid, the now Mayor, Recorder, and to their Successors, and to such Aldermen as aforesaid, in all Things they do, or may pertain to the Office of Conservator of the Peace, and of such Justices within the said City, and the Liberties thereof, according to the Form aforesaid, as often, and at such Times, as shall be by them, or any of them, on our Behalf, duly required: Saving always to the Mayor and Commonalty, and the Citizens of the same City, and to their Successors, the Customs, Liberties and Franchises, which we will and strictly command to be inviolably observed in all Things, as they and their Predecessors before the making of these Presents observed the same. And because we understand, that by the most ancient Custom of the said City it is there had, and in the Circuits of the Justices of our Progenitors, sometimes Kings of *England*, it is allowed to the said Citizens, that the Mayor and Aldermen of the said City, for the Time being, ought to record all their ancient Customs by Word of Mouth, as often and at such Time as any Thing should be moved in Act or Question before any Judges or Justices touching their Customs aforesaid; as in their Claims in the last Circuit of Justices holden at our *Tower of London* it is more fully contained: We considering the same Thing, being willing rather to enlarge than diminish the Custom of the said City, of our special Grace have granted, for Us our Heirs and Successors, unto the said Mayor, and Commonalty, and Citizens, and their Successors, that whensoever any Issue shall be taken on any Plea of or upon the Custom of the City of *London*, between any Parties in Pleading, (yea though themselves be Parties) or if any Thing in Plea, Act, and Question, touching the said Customs, be moved, or happen before Us or our Heirs to be holden, the Justices of the Common Bench, the Treasurer and Barons of our Exchequer, or of our Heirs, or before the Barons of such like Exchequer, or any other the Justices of Us, or of our Heirs, which shall exact or require Inquisition, Recognizance, Certificate, or Tryal, the

the same Mayor and Aldermen of the said City for the Time being, and their Successors, shall record, testify, and declare, whether such be a Custom or not, by the Recorder of the same City for the Time being, by Word of Mouth; And that there may be speedy Process by that Record, Certificate, and Declaration, such Custom so alledged shall be allowed for a Custom, or accounted not for a Custom, without any Jury therefore to be taken, or further Process thereupon to be made. And furthermore we have granted to them, the Mayor and Commonalty and Citizens, that though they and their Successors, or the said Mayor and Aldermen, and their Predecessors in Time past, or their Successors hereafter, have for some Cause perchance fully not used, or abused any of the Liberties, Acquittals, Grants, Ordinances, Articles, or Free-customs, or other Thing contained in these our Writings, or in other our Writings, or of our Progenitors, sometimes Kings of *England*, to the same Mayor and Commonalty granted: Notwithstanding we will not, that the same Mayor and Commonalty, Aldermen and Citizens, or their Successors, shall therefore incur the Forfeitures of any of the Premises; but they and their Successors may from henceforth fully enjoy and use all and singular the Liberties, Grants, Acquittals, Ordinances, Articles, Free-customs, and other Things whatsoever, so not used or abused, in the Charters aforesaid contained, and every of them, without Impeachment or Let of Us, or our Heirs, Justices, Escheators, Sheriffs, or other our Bailiffs and Ministers, or of any other whatsoever Ally, Statutes or Ordinances made, or Judgments given; or any other Charters, or any the Charters of our Predecessors whatsoever, in Times past granted to the contrary notwithstanding. And We, being willing further to do the said Mayor and Commonalty a greater Pleasure; and also for the bettering and common Profit of our said City, Will and Grant to the said Mayor and Commonalty, and their Successors, that from henceforth all and singular Merchants, as well Denizens as Aliens, abiding within the said City, and the Liberties

ties and Suburbs of the same, and exercising Merchandizing or Occupations there, by any means by themselves or others, though they be not of the Liberty of the same City, shall be Partakers, shall be taxed, and contribute according to their Faculties in Subsidies, Tallages, Grants, and other Contributions whatsoever, by any means to be assessed, for the need of Us, or of our Heirs, or of the said City, for the Maintenance of the State and Profit of the same with the Citizens of the said City: Yet notwithstanding, that this our present Grant be not in Prejudice or Derogation of any Grants by us, or any of our Progenitors, made or granted to those Merchants of *Almaine*, which have an House in the City of *London*, which is commonly called the *Guildhall* of the *Almains*, or their Successors. And further, because it is well known and manifest, that those of the said City which are called *Elect*, and taken to the Degree of Aldermen, proper for the Conditions and Merits requiring the same, have sustained and supported great Charges, Cost, and Pains, for the Time they make their Abode and Residence in the same City, being vigilant for the common Good, Rule, and Government of the same, and for that Cause oftentimes do leave their Possessions, and Places in the Countries there; that therefore they, and every of them, may, without all Fear of Unquietness or Molestation, peaceably abide and tarry in such their Houses, Places and Possessions, when they shall return thither for Comfort and Recreation's Sake. We have of our special Grace granted to the said Mayor and Commonalty, and to their Successors aforesaid, that all and every of those which be Aldermen of the said City, and their Successors which for the Time shall be Aldermen there, for the Term of their Lives shall have this Liberty; that is to say, That as long as they shall continue Aldermen there, and shall bear the Charge of Aldermen Proper; and also those which before had been Aldermen, and have also with their great Costs and Expences born the Offices of Mayoralty, shall not be put in any Assizes, Juries, or Attaints, Recognizances,



ces or Inquisitions out of the said City; and that they nor any of them shall be Tryer and Tryers of the same, although they touch Us, or our Heirs, or Successors, or other whomsoever.

And that without that City neither they nor any of them be made Collectors or Collector, Assessor, Taxor, Overseer, or Comptroller of the Tenths, Fifteenths, Taxes, Tallages, Subsidies, or other Charges, or Impositions whatsoever, to us, our Heirs, or Successors hereafter to be granted or given: And if they, or any of them, be elected to any of the Offices or Charges aforesaid, and that the said Mayor or Aldermen do deny, refuse, or not do the Offices or Charges aforesaid, then they, or any of them, shall not by any means incur any Contempt, Loss, Pain, Fine, Imprisonment, or Forfeiture, by Occasion of their so refusing or not doing; nor shall for that Cause forfeit any Issues by any means: And further, as we understand, Lord *Edward*, sometimes King of *England*, the Third, after the Conquest, our Progenitor, with the Assent of the Prelates, Earls, Barons, and Commonalty of the Realm of *England*, assembled in Parliament holden at *Westminster*, in the First Year of his Reign, at the Petition of the then Citizens of the said City, by his Letters Patents, granted for him and his Heirs to the same Citizens the Town of *Southwark*, with the Appurtenances, to have and hold to them and their Successors, Citizens of the same City, of the same our Progenitors, and their Heirs for ever; paying unto him by the Year at the Exchequer of him and his Heirs at the Terms accustomed, the Farm therefore due and accustomed as in the said Letters Patents more fully is contained. And now the Mayor and Commonalty of the said City and their Predecessors have and hold certain Liberties and Franchises in the Town aforesaid by Vertue of those Letters Patents; and do use the same as their Predecessors have had and held them, and have used and enjoyed them; And they now fear that divers Doubts, Opinions, Varieties, Ambiguities, Controversies and Dissentions, may light, and be likely to spring, grow, be imagined, holden, and had in time

to come, in and about the Use and Exercise of such Liberties and Franchises, for want of more clear and full Declaration and expressing of the same, for that divers diversly Interpret, Judge, and Understand; We therefore, to the end to take away from henceforth and utterly to abolish all and all manner of Causes, Occasions, and Matters, whereupon such Opinions, Ambiguities, Varieties, Controversies, and Dissentions may spring, be holden, and moved in this behalf, have of our special Grace, and from our meer Motion, granted to the said Mayor and Commonalty of the said City which now be, and their Successors, Mayor and Commonalty and Citizens of that City, which for the Time being shall be for ever, the Town of *Southwark*, with the Appurtenances, with all Chattels, called (1) Waif and (2) Estray; and also Treasure found in the Town aforesaid, and all manner of Handy-work, Goods and Chattels of Traytors, Felons defamed, and denying the Law of our Land, wheresoever or before whomsoever Justice shall be done upon them; and also Goods disclaimed, found, or being within the Town aforesaid; and also all manner of Escheats and Forfeitures which may there pertain unto us, as fully and wholly as we should have them if the same Town were in our Hands. And that it shall be lawful to the same Mayor and Commonalty, and to their Successors, by their Deputy and Ministers of the same Town, to put themselves in Possession of and in all the Handyworks and Chattels of all manner of Traytors, Felons, Fugitives, Outlaws, Condemned, Convicted, and of Felons defamed, and denying the Laws of our Land; and also of and in all Goods disclaimed, found and being within the said Town; and also of and in all the Escheats and Forfeitures to us and to our Heirs there pertaining. And that the same Mayor and

- (1) Goods dropt by a Thief being closely pursued or overloaded.
- (2) Cattle lost, both which being found in any Lordship, and not owned by any Man, which being cried according to Law in three Markets adjoining, if it be not claimed by the Owner in a Year and a Day, it is then the Lords of the Soil where found.

Commonalty,

Commonalty, and Citizens, and their Successors, by themselves, or their Deputy, or Ministers, may have in the Town aforesaid (1) Assay, and Assize of Bread, Wine, Beer, and Ale, and all other Victuals and Things whatsoever saleable in the said Town: And also all and whatsoever doth and may appertain to the Office of Clerk of the Market, of our House, or of our Heirs, together with the Correction and Punishment of all Persons there selling Wine, Bread, Beer, Ale, and other Victuals; and of all other inhabiting and exercising any Arts whatsoever, and with all manner of Forfeitures, Fines, and Amerciaments, to be forfeited; and all other which there do, and in any Time to come may pertain to us, our Heirs, or Successors: And that they shall have in the said Town the Execution of all manner of Writs, Commandments, Precepts, Extracts, and Warrants, with the Return of the same, by such their Minister or Deputy whom they shall thereunto use; so always that the Clerk of the Market of our House, or of the House of our Heirs, or the Sheriff or Escheator of the County of *Surry*, which now is, or hereafter shall be, do not by any Means intermeddle, enter, or do any Execution. *We* have also granted to the said Mayor, and Commonalty, and Citizens, and their Successors for ever, that they shall and may have Yearly one Fair in the Town aforesaid for three Days, that is to say, the 7th, 8th, and 9th Days of *September*, to be holden, together with a Court of (2) Pye-Powders, and with all the Liberties to such Fairs appertaining: And that they may have and hold there at their said Courts, before their said Ministers or Deputy, the said three Days, from Day to Day, Hour to Hour, and from Time to Time, all Occasions, Plaints, and Pleas of a Court of Pye-Powders, together with all Summons, Attachments, Arrests, Issues, Fines, Redemptions and Commodities, and other Rights whatsoever, to the same Court of Pye-Powders any way pertaining, with-

(1) Tryal, Proof.

(2) Held in Fairs for enrolling Contracts, and redressing Disorders there committed.



out any Impediment, Let, or Hindrance of us, our Heirs or Successors, or other our Officers and Ministers whatsoever. And also that they may have there a View of (1) Frankpledge, and whatsoever thereto pertainerth, together with all Summons, Attachments, Arrests, Issues, Amerciaments, Fines, Redemptions, Profits, Commodities, and other Things whatsoever, which there may or ought therefore pertain to us, our Heirs and Successors. And furthermore the aforesaid Mayor and Commonalty, and Citizens, and their Successors, may by themselves, or by their Minister or Deputy in the said Town appointed, take and arrest all manner of Felons, Thieves, and other Malefactors, found within the said Town, and may lead them to our Goal of *Newgate*, safely to be kept until they shall be by Process of Law delivered. And further the said Mayor and Commonalty, and Citizens and their Successors, may for ever have in the Town aforesaid all manner of Liberties, Privileges, Franchises, Acquittals, Customs, and Rights, which we should or might here have if the said Town were and remained in our Hands, without any Thing to be by any Means given or paid to us, or our Heirs, beside only Ten Pounds for the ancient Form therefore due; and without Impeachment, Let, Molestation, or Disturbance of us, or our Heirs or Successors, Justices, Escheators, Sheriffs, Officers, or Ministers, of ours, or of our Heirs or Successors whatsoever; the Rights, Liberties, and Franchises, of Right belonging to the Most Reverend Father and Lord in Christ *Thomas* Archbishop of *Canterbury*, and of other Persons there always saved; although express mention be not here made of the true yearly Value of the Premises, or of any other Gifts or Grants to the Mayor and Aldermen, Sheriffs and Citizens, or their Successors, or any of them, made according to the Form of the Statute thereof had,

(1) Or Surety for Freemen of 14 Years and upwards, except Clerks and Knights; for all such Freemen were to find security towards the King and his Subjects, or else were to be sent to Prison.

made and provided, or any other Statute, Ordinance, Act, Thing, Cause, or Matter whatsoever notwithstanding. These being Witness; the Reverend Father *Thomas* Archbishop of *Canterbury*, *William* Archbishop of *York*, *George* of *Exon*, Chancellor, and *William* Bishop of *Ely*, and our dear Brother, *George* of *Clarence*, and *Richard* of *Gloucester*, Dukes, and others. Given by our Hand at *Westminster*, the 9th Day of *November*, in the Second Year of our Reign. (1)

We have also seen certain other Letters Patents of the same Lord *Edward*, late King of *England* the Fourth, made in these Words; *Edward*, by the Grace of God, King of *England* and *France*, and Lord of *Ireland*, to all to whom these present Letters shall come, Greeting: K N O W ye, that for certain and notable Causes us specially moving, of our special Grace and certain Knowledge, we have granted to the Mayor and Commonalty, and Citizens of our said City of *London*, that the (2) Tonnage and Weighing, and Measuring, Laying up, Placing, and Housing of whatsoever Wools, by whomsoever, from whatsoever Parts brought, or to be brought to the City aforesaid; or which have aforetime been accustomed to be brought to the (3) Staple of *Westminster*, shall from hence be, and be made in the Place called *Leaden-Hall*, within our City aforesaid, and in no other Place within three Miles of the said City; to have the Laying up, Placing, and Housing aforesaid, together with all Fees, Profits, and Emoluments to the same Laying up, Placing, and Housing, or any of them due, used or accustomed to the foresaid Mayor and Commonalty, and Citizens of the said City, and their Successors for ever, without any account to be made, or any other Thing therefore to us to be paid; although express mention be not in

(1) Sir *Thomas Cook*, Mayor, *William Hampton*, *Bartholomew James*, Sheriffs, anno 1462.

(2) This is by *Bohun* rendred Tronage, and seemingly right, as 'tis a Duty paid at the City Beams for Weighing Wool, Lead, Wax, Pepper, Allom, &c.

(3) A Market or Place where Storehouses are kept to lay up Commodities for the better vending them by Wholesale. these

these Presents made of the clear yearly Value, or Certainty of the Premises, or of any other Gifts or Grants by us or our Progenitors to the said Mayor and Commonalty, and Citizens and their Successors, by any Means made, or any other Statute, Act, Ordinance, or any other Thing whatsoever made to the Contrary notwithstanding. In Witness whereof we have caused these our Letters to be made Patents: Witness our self at *Westminster*, the 27th Day of *August*, in the Third Year of our Reign. (1)

Moreover, We have seen certain other Letters Patents of the aforesaid Lord *Edward*, late King of *England*, the Fourth, made in these Words: *Edward*, by the Grace of God, King of *England* and *France*, and Lord of *Ireland*; To all to whom these present Letters shall come, Greeting: KNOW ye, that whereas the Sum of Twelve Thousand Nine Hundred Twenty Three Pounds, Nine Shillings, Eight Pence, is by Us, amongst other Things, due to our beloved and faithful Subjects the Mayor, Commonalty, and Citizens of our City of *London*, as in the Receipt of our Exchequer more plainly appeareth; of which Sum the said Mayor and Commonalty are willing to remit and release unto Us, One Thou and Nine Hundred Twenty Three Pounds, Nine Shillings, Eight Pence: To the Intent we should vouchsafe to grant them Licence, that they and their Successors might purchase Lands, Rents, and Services, and other Possessions whatsoever, to the Value of Two Hundred Marks by the Year, over all Charges and Reprizes, although they should be holden of us or others, by any manner of Service of whatsoever Person or Persons willing to give, bequeath, or assign the same to them; to have and to hold to the same Mayor and Commonalty, and their Successors aforesaid for ever, in Form following: We inwardly pondering not only the Premises, but also the manifold Pleasures to Us by the Mayor and Commonalty of the said City before this Time accep-

(1) Sir *Matthew Phillip*, Mayor, *Robert Bassett*, *Thomas Muschamps*, Sheriffs, anno 1463.



rably done, and willing (as We are bound) before all other Things, wholly to pay and recompence our Debts; Have of our special Grace, and for that the said Mayor and Commonalty, for them and their Successors, remitted and altogether released unto Us the said Sum of 1923 *l. 9 s. 8 d.* granted and given Licence, and by these Presents do grant and give Licence, for Us and our Heirs, (as much as in Us is) to the said Mayor and Commonalty, that they and their Successors may purchase Lands, Revenues, Rents, Services, and other Possessions whatsoever, to the Value of 200 Marks by the Year, over all Charges and Reprizes, of any Person or Persons willing to give, grant, bequeath, or assign the same unto them, although they be holden of us or others by any manner of Service, in full Satisfaction and Contentation of the said Sum of 1923 *l. 9 s. 8 d.* to them by Us due, without any Fine or Fee to be paid to the Use of Us or our Heirs to have and to hold to the same Mayor and Commonalty, and their Successors for ever: And We have, by the Tenor of these Presents, given special Licence to the same Person and Persons, that he or she may give, grant, bequeath, or assign, Lands, Tenements, Rents, Possessions, and Services, to the yearly Value aforesaid, over and above all Reprizes and Charges as aforesaid, unto the said Mayor and Commonalty, and to their Successors as aforesaid for ever; without Hindrance of Us or our Heirs, our Justices, Escheators, Sheriffs, Coroners, Bailiffs, or other the Ministers of Us or our Heirs whatsoever: And this without any other the King's Letters Patents, or any Inquisitions of any Writ of *Ad quod damnum*, or any other the King's Commandments in this Behalf by any means to be had, prosecuted and taken; the Statute concerning Lands and Tenements not to be put in Mortmain, or any other Statute, Act, or Ordinance made to the Contrary notwithstanding. And also We Will and Grant to the said Mayor and Commonalty, that they and their Successors may have so many and such Writs *Ad quod damnum*, and other Royal Letters Patents executory from Time to Time upon the

Licence

licence aforesaid, in full Satisfaction and Contentation of the Sum of 12923 *l.* 9 *s.* 8 *d.* In witness whereof We have caused these our Letters to be made Patents. Witness my self at *Westminster.* the 20th Day of *June*, in the 18th Year of our Reign. (1) (2)

We have also seen certain other Letters Patents of the above said Lord *Edward*, late King of *England*, the fourth, made in these Words : *Edward*, by the Grace of God, King of *England* and *France*, and Lord of *Ireland*; To all to whom these present Letters Patents shall come, Greeting. KNOW ye, that whereas the Sum of 12923 *l.* 9 *s.* 8 *d.* is, amongst other Things, due by Us to our well-beloved the Mayor and Commonalty of our City of *London*, as in the Receipt of our Exchequer more fully appeareth; of which said Sum the Mayor and Commonalty are willing to receive and release unto us the Sum of 7000 *l.* to the intent that we should vouchsafe to grant to the said Mayor and Commonalty, and their Successors, the Offices and Occupations underwritten, to be had in Form following : We inwardly pondering not only the Profits, but also the manifold Pleasures to us by the Mayor and Commonalty of the said City, before time acceptably done, and willing, as we are bound, before all other Things to pay or recompense our Debts, Give, of our special Grace, and for that the said Mayor and Commonalty have for them and their Successors remitted and released unto us 7000 *l.* Part of the said 12923 *l.* 9 *s.* 8 *d.* granted, and by these presents do grant to the said Mayor and Commonalty, and their Successors, in full Satisfaction and Contentation of the said Sum of 7000 *l.* to them by us due, the Offices or Occupations of Packing all manner of *Wool*, *Woollen* Cloaths, Sheep-Skins, Calf-Skins, Goat-Skins, *Wool* of Amber, and all other Merchandize whatsoever, to be packed, tunned, piped, barrellled, or any wise to be inclosed, with the Oversight of opening all manner

20.

June

18. 9. 1478

A.

Office

of Pack

-Eng.

) Sir Richard Gardner, Mayor, Robert Harding, Robert Byfield, Sheriffs, anno 1478.

) This Charter was confirmed in Parl. 3 Hen. 8.

of Customable Merchandizes, arriving at the Port of Safety, as well by Land as by Water, within the Liberties and Franchises of the said City and Suburbs of the same, as well of the Goods of Denizens as of Aliens, wheresoever they shall be accustomed: And also the Office of Packing all Woollen Cloaths, Sheep-Skins, Lamb-Skins, Goat-Skins and Calve-Skins, with picking and poudering of the same, and all Amber-Vessels, and all other Merchandizes to be packed, picked and poudered in London, or the Suburbs of the same, or to be carried by Land, or to be customed, as well concerning the Goods of Merchants, Denizens, as of Aliens; and also the Office of Portage of all Wools, Sheep-Skins, Tynn Bails, and other Merchandizes whatsoever, which shall be carried in London from the River of Thames, unto the Houses of Strangers, and contrariwise from the said Houses unto the said Water, or of other Merchandizes which ought to be carried, being in any House for a Time: And also the Office or Occupation of (1) Garbling of all Manner of Spices, and other Merchandizes, coming to the said City at any Time which ought to be Garbled: And the Office of (2) Gawger within the said City: And also the Office of Wine-Drawers, to provide for the Carriage of Wines brought to the Port of the said City, and laid on Land, wheresoever it be, and elsewhere to be carried, to have the Occupation and Offices aforesaid, and every of them, and the Dispositions, Ordinances, Oversight, and Corrections of the same; together with the Fees, Profits and Emoluments to the same Offices or Occupations, and other the Premises, and every of them due, used and accustomed to the said Mayor and Commonalty, and Citizens of the said City, and to their Successors for ever. And also the exercising of the same Offices by themselves, or by their sufficient Deputies, without any Account, or any other Thing, to Us or our Heirs therefore to be given or made, in full Satisfaction and Con-

(1) The Sorting or Culling the Good from the Bad.

(2) Measurer of Casks or Vessels containing Liquids.



tentation of the said Sum of 7000 l. And further, Whereas our most dear Cousin *Anthony Earl Rivers* hath of our Grant, by our Letters Patents, the Office of our Chief (1) Butler of *England*, under a certain Form in the said Letters Patents specified, by reason of which Office the Earl hath granted, and pretendeth to grant the Office of (2) Coroner within the said City and Suburbs thereof; We likewise, in Satisfaction and Contentation of the said Sum of 7000 l. to the said Mayor and Commonalty as is aforesaid due, have of our special Grace granted, that the same Mayor and Commonalty, and their Successors, may lawfully and safely grant the said Office of Coroner to any Person, who shall please the said Mayor and Commonalty, and their Successors, and may make a Coroner there whom shall please them immediately, and as soon as the said Office of Chief Butler of *England* of the Office of Coroner aforesaid shall happen to be void, or to come to our Gift by the Surrender of the said Earl, or by any other Cause whatsoever. And We Will, by these Presents, that the same Office of Coroner be from henceforth severally and distinctly, and altogether separated from the Coroner so made by the said Mayor and Commonalty, or their Successors, may have full Power and Authority to exercise and do all and singular Things, which to the Office of Coroner within the said City, and the Suburbs of the same, do pertain to be exercised and done, so that none other our Coroner, nor of our Heirs or Successors, shall by any means intermeddle within the said City, or the Suburbs of the same, although express Mention of the true yearly Value, or Certainty of the Premises, or of any of them, or of any other Gifts or Grants, by Us or our Progenitors, to the said Mayor and Commonalty, and Citizens, or to their Predecessors before this Time, by any Means made, be not in these Pre-

(1) Whose Office was to require a certain Impost upon Sale Wines Imported from any Ship of less Burthen than 40 Ton.

(2) An Officer, who, assisted by a Jury of 12 Men, inquires into all untimely Deaths, in Behalf of the Crown.

Sents.

sents made, or any Statute, Act, Ordinance, or Provision thereof made, published or ordained to the contrary, or any other Thing to the contrary notwithstanding. In witness whereof We have caused these our Letters to be made Patents. Witness myself at *Westminster*, the 20th Day of *June*, in the 18th Year of our Reign. (1)

And whereas in and by certain Letters Patents of *Henry*, late King of *England*, the Seventh, our Progenitor, made under the Great Seal of *England*, bearing Date the 23d Day of *July*, in the (2) 20th Year of his Reign, (amongst other Things) it is recited that, of all time of which the Memory of Man is not to the Contrary, for the Commonwealth of the Realm and City aforesaid, it hath been used, and by Authority of Parliament approved and confirmed, that no Stranger, from the Liberry of the City, may buy or sell from any Stranger from the Liberties of the said City, any Merchandize or Wares within the Liberties of the same City, upon Forfeiture of the same. The said Mayor or Commonalty, and Citizens, and their Predecessors, by all the Time aforesaid, have had and received, and have been accustomed to receive, perceive, and have to the Use of the same Mayor, Commonalty, and Citizens, all and all manner of Merchandizes and Wares bought and sold within the Liberties of the same City as aforesaid, and Forfeitures of the same Merchandizes and Wares, until of late past Time they were troubled or molested. The same Lord *Henry* the Seventh, by his Letters Patents, as aforesaid, for pacifying and taking away from henceforth Controversies and Ambiguities in that behalf, and to fortify, and by expresse Words to explain and declare the Liberty and Custom aforesaid to them the said Mayor and Commonalty, and Citizens, and their Heirs and Successors, and willing the said Liberties to be peaceably and quietly had, possessed and enjoyed to the said Mayor and Commonalty, and Citizens, and their Successors, with.

(1) This and the foregoing Charter both granted the same Day and Year, *viz.* *June* 20th, 1478. (2) anno 1505.

the

the Forfeitures aforeſaid, againſt the ſaid late King Henry, his Heirs, and Succeſſors, granted, and by his ſaid Charter confirmed to the ſame Mayor and Commonalty, and Citizens and their Succeſſors, that no Stranger from the Liberties of the ſame City may buy or ſell from any other Stranger to the Liberty of the ſame City any Merchandizes or Wares within the Liberty of the ſaid City: And if any Stranger to the Liberty of the ſame City ſhall ſell or buy any Merchandizes or Wares within the Liberty of the ſame City of any other Stranger to the Liberty of the ſame City, that the ſame Mayor, Commonalty, and Citizens, and their Succeſſors, may have, hold, and receive, all and all manner of ſuch like Merchandizes and Wares ſo bought and to be bought, ſold, or to be ſold, within the Liberty of the ſaid City, between whatſoever Strangers to the Liberty of the ſame City, as forfeited; and all the Forfeitures of the ſame, and alſo the Penalties, Fines, and Redemptions whatſoever any ways forfeited, loſt, or to be loſt, or to be forfeited or due thereon, to the Uſe and Profit of the ſame Mayor and Commonalty, and Citizens, and their Heirs and Succeſſors, without Hindrance of the ſame late King, his Heirs, and Succeſſors, any Statute, Act, or Ordinance, of us or our Progenitors made to the Contrary notwithstanding: Although the ſame Mayor and Commonalty, and Citizens of the ſaid City, or their Predeceſſors, have before that Time uſed, abuſed, or not uſed thoſe Cuſtoms and Liberties: Saving always, that great Men, Lords and Nobles, and other *Engliſh* and Strangers, of what Condition ſoever they be, may freely whatſoever Merchandize in Groſs for their Families and proper Uſes within the Liberties of the ſaid City, without any Forfeitures, Loſs, or Hindrance whatſoever, ſo that they do not ſell again the ſaid Merchandizes to any other. And further, the ſaid late King, of his more ample Grace, by his ſaid Letters Patents, among other Things, did give and grant to the Mayor, Commonalty, and Citizens of the ſame City of *London*, and their Succeſſors, the Office of  
Gawger



Gawger within the said City, and the Disposing, Ordering, Surveying, and Correction of the same; to have, hold, exercise, and occupy the said Office and other Premises, with all Fees, Profits, and Emoluments to the same Office, in any manner belonging or appertaining to the same Mayor and Commonalty, and Citizens by themselves, or by their sufficient Deputy or Deputies, from the 22d Day of *August*, in the First Year of his Reign, for ever, without any Account to be made thereof, or any other Thing rendring and paying to the said Lord *Henry* the Seventh, his Heirs, or Successors, as by the said Letters Patents more plainly may appear.

We have also seen the Letters Patents of Lord *Henry* the Eighth, late King of *England*, our Progenitor, made in these Words; *Henry*, by the Grace of God, King of *England* and *France*, and Lord of *Ireland*, to all to whom these Letters shall come, Greeting: Whereas *Edward* the Third, sometimes King of *England*, our Progenitor, by his Letters Patents, amongst other Things, hath granted to the Citizens of the City of *London*, that all Inquisitions from hence to be taken by the Justices and other the Ministers of the Men of the said City should be taken at *Great St. Martins* in *London*, and not elsewhere, except Inquisitions to be taken in Circuits in the Tower of *London*, and for the Goal Delivery of *Newgate*. KNOW ye, that we for some urgent Causes reasonable us moving, at the Petition of the Mayor and Commonalty aforesaid, and of the Citizens of the said City, have of our special Grace, and from our certain Knowledge and meer Motion granted, and by these Presents do for us and our Heirs (as much as in us is) grant to the said Mayor and Commonalty, and unto their Successors, and unto the same Citizens of the same City, that all Inquisitions by the Justices or other our Ministers, or of our Heirs, to be from henceforth of the Men of our City aforesaid, shall be taken at the Guildhall within our City aforesaid, or at any other Place within the same City, where it shall from Time

Time be thought to our Justices for the Time being, before whom those Inquisitions ought hereafter to be taken, most expedient, and most convenient, and not elsewhere, except Inquisitions to be taken at the Circuits of the Tower of *London*, and for the Goal Delivery of *Newgate*. In Witness whereof we have caused these our Letters to be made Patents. Witness my self at *Westminster*, the 16th Day of *June*, in the 10th Year of our Reign. (1)

Moreover we have seen other Letters Patents of the same Lord *Henry*, late King of *England*, our Progenitor, made in these Words; *Henry* the Eighth, by the Grace of God, King of *England* and *France*, Defender of the Faith, and Lord of *Ireland*, to all to whom these present Letters shall come, Greeting: Whereas we by our Letters Patents, the Date whereof is the 8th Day of *June*, in the 13th Year of our Reign, gave of our special Grace, and from our certain Knowledge and meer Motion, given and granted for us and our Heirs, for as much as in us then was, to Sir *William Sidney*, Knt. the Office of the Keeper of the Great Beam and common Balance or Weight within our City of *London*, for Weighing of all Merchandizes of *Avoirdupois*, and also all Weights whatsoever within the same City, which Office one *William Stafford*, deceased, lately exercised and occupied, by what Name soever the said Office was named or known. And have ordained, made and constituted the said Sir *William Sidney* Keeper of the Great Beam, Balance and Weight, and of all other Weights whatsoever; and also the Weights of all Spices, Wares, Commodities, Merchandizes, and Things in the City aforesaid, there to be weighed and accustomed, and used to be bought and sold by Weight. And have granted also by our said Letters Patents to the said Sir *William Sidney*, Authority and Power to make, name and assign from Time to Time all manner of Clerks, Porters, servants, and Ministers of the Great Beam and Balance,

(1) Sir *Thomas Merfyn*, Mayor, *John Allen* and *James Spencer*, Sheriffs, anno 1519.

and of the Iron Beam, and of the Beam of the Still-yard, and of the Weights aforesaid; and also all other Clerks, Porters, Servants, and Ministers to the same Office belonging; and also to remove the same or any of them, and other or others, to make, put, or constitute in his or their Place, as often as to him shall seem expedient, to have, occupy, and exercise the Office and Offices aforesaid, together with the Authority aforesaid to the said Sir *William Sidney* by himself, or by his Deputy or Deputies, during our Pleasure, to his proper use and behoof, with all and singular Commodities, Houses, Advantages, Profits, Fees and Emoluments to the said Office, in our Time, or in the Times of any of our Progenitors, Kings of *England*, due and accustomed, pertaining, or belonging, in as ample manner and form as any Person having or occupying such Office before this Time had, received and enjoyed the same; and hath given and granted the same Commodities, Houses, Advantages, Profits, Fees and Emoluments, and all and singular the Premises for the Exercise and Occupation of the Office aforesaid, in manner and form aforesaid, to the said Sir *William* during our Pleasure, to the use and behoof of the said Sir *William*, without Account, or any other Thing, to us or our Heirs in this behalf, for the Premises to be made, given, or paid: Although express mention be not made of the true yearly Value, or of any certainty of the Premises, or any Grant or Grants by us, or any of our Progenitors, to the said *William* before this time made, contained in the said Letters Patents above specified, or any Statute, Act, Ordinance, Restraining, or Provision, before this Time made or provided to the Contrary; or any other Thing, Cause or Matter whatsoever in any Thing notwithstanding, as by the same our Letters Patents fully appeareth; which our Pleasure in that behalf we will by these shall be determined: And which Letters Patents the same Sir *William Sidney* hath surrender'd into our Chancery to be cancelled, to the Intent we would vouchsafe to grant our Letters Patents to the Mayor, Commonalty, and Citizens of our City of *London*. And  
because



and because now of late we understand of the grievous Complaint of our well-beloved the Mayor, Commonalty, and Citizens of our said City of *London*, that the said Lord *Edward*, sometimes King of *England*, the second, our Progenitor, by his Charter, dated the 8th of *June*, in the 12th Year of his Reign, amongst other Things, granted to the then Citizens of our said City, Predecessors to the now Mayor, Commonalty, and Citizens aforesaid, that the Weights and Scales for the weighing of Merchandizes between Merchants and Merchants, of which the Profits growing, and Knowledge of the same pertain to the Commonalty of the said City, should remain to be kept at the Will of the Commonalty in the Custody of two sufficient Men of the same City, expert in that Office, to be thereunto chosen by the Commonalty of the said City. And they should in no wise be committed to any others, than to such as should be so chosen; as by the same his Letters Patents which we have seen more fully appeareth. And because also the Lord *Henry*, sometimes King of *England*, the Fourth, our Progenitor, by his Letters Patents, dated the 25th Day of *May*, in the first Year of his Reign, of his favourable Grace, amongst other Things, granted to the said Citizens of the said City, Tronage, that is to say, the Weighing of Lead, Wax, Pepper, Allom, Madder, and all other such Wares within the said City for ever; which Letters Patents, We of our especial Grace, by our Charter dated the 12th Day of *July*, in the first Year of our Reign, ratified and confirmed to the same then Citizens, and to their Successors, as by the same Letters Patents more fully appeareth; by which Letters Patents, and by the continual keeping of the Office of Beam, Balance, Weights, and of other the Premises, some out of Mind, by the said Citizens and their Predecessors, and by the Exercise and Occupation of the same within the said City, without any challenging, is manifest, and without any Difficulty, evident and apparent unto Us, that the said Office of the Great Beam and Common Balance, ordained for weigh-

ing between Merchants and Merchants, and the Office of keeping the Great Balance or Weight within our City of *London*, for the weighing of all Merchandizes of *Avoir du pois*, and also of all Weights whatsoever within the said City, and also of all Spices, Wares, Merchandizes, and Things in the City aforesaid to be weighed; and also the Authority and Power to name and assign all and all manner of Clerks, Porters, Servants, and Ministers of the said Great Beam and Balance, and of the Iron Beam; and of the Beam of the Stilliard, and also all other Clerks, Porters, Servants, and Ministers of the said Office pertaining, and the Issues and Revenues thereof coming, and all and singular the Premises pertaining, and of ancient Right belonging to the Mayor, Commonalty and Citizens, We will in no wise be wronged. And to the end that henceforth all Ambiguity in such Cases might be taken away, and that the said Mayor and Commonalty, and Citizens, and their Successors, may not in Time to come be (1) impeached, (2) impleaded, or grieved by Us, or our Heirs and Successors, or any of our Justices or Ministers, of or for the Premises, or any of them, We will and grant to the now Mayor, Commonalty, and Citizens, and to their Successors, that the Weights and Beams for weighing of Merchandizes between Merchant and Merchant, whereof the Profits growing, and the Knowledge of them to the Commonalty of the City aforesaid, shall remain at the Will of the Commonalty of the same City, to be kept in Custody of good sufficient Men of the same City, expert in that Office, and to be thereunto chosen by the Commonalty aforesaid; and that to others than so to be chosen, to be in no wise they be committed; and that they shall have Tronage, that is to say, the weighing of Wax, Lead, Pepper, Allom, Maddar, and all other such like Wares, within the said City for ever. Willing also to do the said Mayor and Commonalty a more ample Pleasure in this Behalf, We have of our favourable Grace, and from our certain Knowledge and

(1) hindered. (2) Sued or prosecuted by Course of Law.

meer Motion, given and granted, and by these Presents do give and grant, to the same Mayor and Commonalty, and Citizens of the City of *London*, the aforesaid Office of Keeper of the Great Beam and Common Balance, ordained for weighing between Merchant and Merchant; and also the Office of the Great Beam and Weights within the said City for the weighing of Merchandizes of *Avoir du pois*, and also all Weights whatsoever within our said City, and of all Spices, Wares, Merchandizes, and all Things in our said City there to be weighed, by whatsoever Name the said Office is named or known; And do by these Presents make, ordain, and constitute the same Mayor, Commonalty, and Citizens, and their Successors, Keepers of the Great Beam, Balance, and Weights aforesaid, and other Weights whatsoever; And also the weighing of all Spices, Wares, Merchandizes, and Things in the City aforesaid there to be weighed, and accustomed to be bought and sold by Weight within our said City: And also we do give and grant, to the Mayor, Commonalty, and Citizens of our City aforesaid, Authority and Power to make, name and assign, from Time to Time, all, and all manner of Clerks, Porters, Servants, and Ministers of the Great Beam and Balance, and of the Iron Beam, and of the Beam of the *Still-yard*, and Weights aforesaid; and also all other Clerks, Servants and Ministers to the said Office pertaining: And also to remove them, or any of them, and to make, constitute, or place other in his or their Place, as often as to them shall seem expedient; to have, occupy, and exercise the Office aforesaid, together with the Authority and Power aforesaid, to the said Mayor and Commonalty, and Citizens, and their Successors, by themselves, their Deputy or Deputies, for ever, to their own proper Use and Behoof, together with all and singular Commodities, Houses, Advantages, Profits, Wages, Fees, and Emoluments, in our Time, or in the Times of any of our Progenitors, Kings of *England*, due and accustomed, pertaining or belonging to the said Office, in as ample Manner and Form, as the same Citizens and their Predecessors,



cessors, or any other Person or Persons, having or occupying the said Office before this Time, had and received, or enjoyed the same : And also we give and grant, by these Presents, to the said Mayor, Commonalty and Citizens, and to their Successors, the Commodities, Houses, Advantages, Profits, Fees, and Emoluments, and all and singular the Premises for the Exercise and Occupation of the said Office, to the proper Use and Behoof of the said Mayor, Commonalty, and Citizens, and their Successors, without Account, or any other Thing, to Us or our Heirs to be delivered made, given, or paid, in this Behalf, for the Premises, or any of them, in these Letters Patents specified or contained ; Although express Mention be not in these Presents made of the true Value or Certainty of the Premises, or of their Gifts or Grants by Us to the said Mayor, Commonalty, and Citizens of the said City, before this Time made ; or any Statute, Act, Ordinance, Provision, or Restraint thereof made, ordained, or provided to the Contrary, or any other Thing, Cause, or Matter whatsoever, in any wise notwithstanding. *In witness* whereof We have caused these our Letters to be made Patents. Witness our Self at *Westminster*, the 13th Day of *April*, in the 22d Year of our Reign. (1)

We have seen also the Letters Patents of *Long Edward*, late King of *England*, the Sixth, our Progenitor, made in these Words. *Edward* the Sixth, by the Grace of God, King of *England*, *France*, and *Ireland*, Defender of the Faith, and on Earth Supreme Head of the Church of *England* and *Ireland* : To all to whom these present Letters shall come, Greeting. KNOW ye, That for the Sum of 647 *l. 2 s. 10 d.* of lawful Money of *England*, paid into the Hands of the Treasurer of our Court of Augmentation and Revenue of our Crown, to our Use, by our well-beloved the Mayor and Commonalty, and Citizens of the City of *London*, whereof we acknowledge us to be fully

(1) Sir *Thomas Pargiter*, Mayor, *William Dancsey*, Sheriff, anno 1531.

satisfied and paid, and the Mayor and Commonalty, and Citizens, and their Successors, to be thereof acquitted and discharged by these Presents, and for other Causes and Considerations us thereunto especially moving, have, of our especial Grace, and from our certain Knowledge and meer motion, and also with the Advice of our Council, given and granted, and by these Presents do give and grant, to the said Mayor, Commonalty, and Citizens of the City of London, all that our Messuage or Tenement, with the Appurtenances, now or late in the Tenure of *Simon Sebatson*, situate and being next our Mansion late *Charles* late Duke of *Suffolk's*, in *Southwark*, in the County of *Surry*; and all that our Messuage or Tenement, with the Appurtenances, next the Broad gate of the same our Mansion in *Southwark* aforesaid, and all that our Close of Ground call'd *Moulter's Close*, containing by Estimation fifteen Acres, lying in *Newington* in our said County of *Surry*; and all that our Close of Ground containing by Estimation two Acres, now or late in the Tenure of *John Parrow*, lying or being in Saint George's Dungeon, in the Parish of Saint George in *Southwark* aforesaid: and also all that one Close of Ground, late in the Tenure of *John Billington*, lying in *Lambeth Marsh*, in the Parish of *Lambeth* in the said County of *Surry*; and also all those our thirty-nine Acres and three Rods of Meadow, with the Appurtenances, now or late in the Possession of *William Basely*, lying and being in divers Parcels, in the Field called Saint George's Field, in the Parish of Saint George in *Southwark*, in our said County of *Surry*; and one Messuage or Tenement of ours situate near Broad-gates in *Southwark* aforesaid; and all those our two Messuages or Tenements, and one Chamber, and three Stables, and the Garden of ours, with all their Appurtenances, situate and being in *Southwark* aforesaid, all and singular which Premises sometimes Parcels of the Possessions and Hereditaments of *Charles Duke of Suffolk*; and all other the Messuages, Lands, Tenements, Rents, Reversions, and Hereditaments whatsoever, with all their Appurtenances in *Southwark*, in the said County

of *Surry*, which were the aforesaid *Charles* Duke of *Suffolk's*, and which were late purchased by our Dear Father, *Henry* the Eighth, late King of *England*, of the same *Charles* late Duke of *Suffolk*; except nevertheless, always to Us, and our Heirs and Successors, all that our Capital Messuage and Mansion-House called *Southwark Place* in *Southwark* aforesaid, late the Duke of *Suffolk's*, and all Gardens and Ground to the same adjoining or appertaining, and all our Park in *Southwark* aforesaid, and all the Messuages, and all the Buildings and Grounds, called the *Antelope* there.

Furthermore we give, and for the Consideration aforesaid, and with the Advice aforesaid, do by these Presents grant, to the aforesaid Mayor and Commonalty, and to the Citizens of the said City of *London*, all that our Lordship and Manor of *Southwark*, with their Rights, Members, and Appurtenances, in the said County of *Surry*, late pertaining to the late Monastery of *Bermondsey*, in the said County; and all Messuages, Houses, Buildings, Barns, Stables, Dove-houses, Ponds, Pools, Springs, Orchards, Gardens, Lands, Tenements, Meadows, Feedings, Pastures, Commons, Wast Street, Void-Ground-Rents, Rever-sions, Services, Court-leer, View of Frank-pledge, Chattels, Waives, Strays, Free-warren, and all other Rights, Profits, Commodities, Emoluments, and Hereditaments, whatsoever, in *Southwark* aforesaid, to the said Lordship and Manor of *Southwark*, by any Means belonging, or being before this Time accounted, known or taken as Member or Parcel of the said Lordship and Manor (except before excepted) Furthermore we give, and for the Consideration aforesaid, and with the Assent aforesaid, by these Presents, do grant unto the said Mayor and Commonalty, and Citizens, all our Manor and Borough of *Southwark*, with all their Rights, Members, and Appurtenances, in the said County of *Surry*, late Parcel of the Possessions of the Archbishop and Archbishoprick of *Canterbury*, and all our annual Rent of 3 s. 2 d. ob. and the Services going out of the Lands and Tenements sometimes of *John Burceter*, Knight, and now or late in the Tenure



of *William Glasscock*, Esquire, in *Southwark* aforesaid : And all that our yearly Rent of 3 s. and Service going out of the House or Tenement called the *Swan*, in *Southwark* aforesaid : And all that our yearly Rent of 4 s. 10 d. and the Service going out of the Messuage or Tenement called the *Mermaid*, in *Southwark* aforesaid : And all that the yearly Rent of 1 s. 8 d. a Quarter, and the Service going out of the Messuage or Tenement called the *Helmet*, in the Borough of *Southwark* aforesaid : And all that our annual Rent of 16 s. and the Services going out of the Messuage or Tenement called the *Horse-head*, in the Borough of *Southwark* aforesaid : And also all that our annual Rent of 6 s. 4 d. and the Services going out of the Messuage or Tenement called the *Gleyne*, in *Southwark* aforesaid : And all that our annual Rent of 2 s. a Quarter, and the Services going out of the Messuage or Tenement, called the *Rose* ; and one Acre of Ground lying in the *Lock*, in *Southwark* aforesaid : And all that our annual Rent of Twenty-pence a Quarter, and the Service going out of the Messuage or Tenement called the *Lamb*, in *Southwark* aforesaid, pertaining to the Company of *Fishmongers* of *London* : And also all that our annual Rent of Twenty-pence a Quarter, and the Service going out of one Messuage or Tenement, pertaining to the said Society of *Fishmongers* in *London*, called the *Bale*, in *Southwark* aforesaid : And all that annual Rent of Twenty-pence a Quarter, going out of one Messuage or Tenement, pertaining to the said Society of *Fishmongers*, commonly called the *Flower-de-Luce*, in *Southwark* aforesaid : And also that our annual Rent of 4 s. and the Service going out of the twelve Acres of Land lying at the *Lock*, in *Southwark* aforesaid, sometimes the Lord *Wildford's*, and now or late pertaining to the said Society of *Fishmongers* : And all that our annual Rent of 8 d. and the Service going out of two Acres of Land of *Giles Athorn*, called *Tipping in the Hole*, in *Southwark* aforesaid : And all that our annual Rent of 3 s. and the Service going out of the Messuage or Tenement late *Thomas Lord Poyning's*, in *Southwark* aforesaid : And all that our annual

annual Rent of Twelve-pence Half-penny, and the Service going out of the Messuage or Tenement now or late of *Willam Malton's*, in *Southwark* aforesaid: And all that our annual Rent of Twenty-pence Half-penny, and the Service going out of the Messuage or Tenement called the *White-Hart*, in *Southwark* aforesaid: And also all that our annual Rent of 7 s. 4 d. and the Service going out of a Messuage or Tenement called the *Crown*, in *Southwark* aforesaid, now or late of the Masters of the *Bridge-House*, *London*: And also all that our annual Rent of 2 s. and the Service going out of a Messuage or Tenement of the same Masters of the *Bridge-House*, called the *Christopher*, in *Southwark* aforesaid: And all that our annual Rent of 12 d. and the Service going out of the Lands and Meadows of the Masters of the *Bridge-House* in *London*, lying and being at the *Lock*, called *Carpenters-Hall*, in *Southwark* aforesaid: And all that our annual Rent of Ten-pence Half-penny, and the Service going out of the Messuage or Tenement called the *Blew-Mead*, in *Southwark* aforesaid: And all that our annual Rent of 2 s. and the Service going out of one Messuage or Tenement now or late of *William Salisbury*, in *Southwark* aforesaid: And also all that our annual Rent of 16 d. and the Services going out of a certain Field of Ground of four Acres of Land, now or late the Heirs of *Robert Linled*, lying and being in the *Lock*, and abutting upon the Lands of the late Duke of *Suffolk*, in *Southwark* aforesaid; and in *Newington*, or in either of them, in the said County of *Surry*: And all our annual Rent of 2 s. and the Service going out of a certain Field of Ground, sometimes *John Solas* Field, and now or late the Heirs of *Robert Linled*, in *Southwark* and *Newington* aforesaid, or either of them: And all our annual Rent of 20 d. and the Services going out of five Acres of Ground, now or late *Stephen Middleton's*, lying and being at the *Lock* of *Southwark* and *Newington* aforesaid, or either of them: And all that our annual Rent of 4 d. and the Service going out of four Acres of Land, now or late *William Champion's*, lying and being in *South-Mead*, in *Walworth*

worth Field, in the Parish of *Newington*, in our said County of *Surry*: And all that our annual Rent of Twenty-pence Farthing, and the Service going out of the Messuage or Tenement called *Circet*, in *Southwark* and *Newington* aforesaid, and either of them: And all other our Messuages, Lands, Tenements, Rents, Reversions, Services and Hereditaments whatsoever, which were Parcel of the Possessions, Rents and Revenues of the Archbishop and Bishoprick of *Canterbury*, in *Southwark*, in the County of *Surry*. We furthermore give, and for the Considerations aforesaid, and with the Advice aforesaid, do grant by these Presents to the said Mayor and Commonalty, and Citizens of the City of *London*, all and all manner of Woods, Underwoods and Trees whatsoever, growing and being of, in, and upon all and singular the Premises and the Soil and Ground of the same; and also whatsoever Reversions of all and singular the Premises, and every Part thereof, and all the Rents and yearly Profits whatsoever, reserved upon whatsoever Demises and Grants made of the Premises, or any Part thereof, by any Means. We also give, and by these Presents grant to the said Mayor and Commonalty, and Citizens of the City of *London*, all and singular the Premises with the Appurtenances as fully, and in as ample manner and form, as the said *Charles* late Duke of *Suffolk*, or any other Abbot of the late Monastery of *Bermondsey*, or any Archbishop of *Canterbury*, or any of them, or others before this time, having and possessing the said Manors, and other Premises, or any Parcel thereof, or being thereof seized, ever had, held, or enjoyed; or ought to have or enjoy the same, or any Part thereof; and as fully, freely, and wholly, and in as large manner and form as all singular the same came or ought to have come to our Hands, or to the Hands of our most dear Father *Henry* the Eighth, late King of *England*, by Reason or Pretence of any Charters, Gift, Grant, or Confirmation, or by Reason or Pretence of the Dissolution of the said Monastery, or by any other Means or Right they came or ought to have come, or as the same now be or ought to be in our Hands. KNOW ye moreover, that



that we, as well of our Grace, Knowledge and Merit aforeſaid, and with the Advice aforeſaid, as for the Sum of 500 Marks of lawful Money of *England*, paid into the Hands of our Treafurer of our Court aforeſaid to our uſe by the ſaid Mayor and Commonalty, and Citizens of the ſaid City of *London*, whereof we confeſs us to be fully ſatisfied, and the ſaid Mayor and Commonalty, and Citizens and their Succeſſors thereof to be acquitted and diſcharged by theſe Preſents: Have given and granted, and by theſe Preſents do give and grant for us, and our Heirs, to the ſaid Mayor and Commonalty, and Citizens of the City aforeſaid, and to their Succeſſors, in and through all the Town and Borough aforeſaid; and in and through all the Pariſhes of *St. Saviour's*, *St. Olave*, and *St. George's*, in *Southwark*, and in the Pariſh and through all the Pariſhes late called *St. Thomas's* Hoſpital, and now called the King's Hoſpital, in *Southwark* aforeſaid, and elſewhere ſoever in the ſaid Town and Borough of *Southwark* aforeſaid; and in *Kentish-Street* and in *Blackman-Street* aforeſaid, and the Pariſh of *Newington*, and elſewhere in the ſaid Town and Borough of *Southwark*; all Goods and Chattels Waved, Eſtrays, and all Treafure found in the Town and Precinct aforeſaid, and all manner of Handy-work, Goods and Chattels, of all manner of Traytors, Felons, Fugitives outlawed, condemned, convicted, and of Felons detamed, and put in (1) Exigent, Felons of themſelves, and (2) Deodands, and denying the Law of our Land, whereſoever, or before whomſoever Juſtice ought to be done of them, and all Goods diſclaimed, found, and being within the Borough, Town, Pariſhes and Precincts aforeſaid; and alſo all manner of Eſcheats, and Forfeitures to Us and our Heirs, may there pertain as fully and wholly as we ſhould have them, if the ſaid Town and Borough were in the Hands of Us or our Heirs;

(1) A Writ in an Indictment of Felony where the Party indicted cannot be found.

(2) Any thing that cauſes a Man's Death is ſaid to be a Deodand, and forfeited to the King: As if a Horſe kill his Keeper, or a Cart run over a Man, the Creatures and Inſtruments are forfeited to the King.

And that it shall be lawful, to the same Mayor, and Commonalty, and Citizens, and their Successors, by themselves, or by their Deputy or Ministers of the said Town or Borough, to put themselves in (1) Seizure of, in all the Handy-works and Chattels of all manner of Traytors, Felons, Fugitives, outlawed, condemned, convicted, and of Felons defamed, and denying the Law of our Land, and of other Premises; and also of and in all Goods (2) disclaimed, found, being within the same Borough, Town, Parishes and Precincts thereof; and also of and in all Estreats and Forfeitures to Us and our Heirs there pertaining. And that the same Mayor, Commonalty, and Citizens, and their Successors, by themselves, or by their Deputy, or Minister or Ministers, shall have in the Borough, Town, Parishes, and Precincts aforesaid, the Assize and Essay of Bread, Wine, Beer and Ale, and of all other Victuals and Things whatsoever, set to Sale in the Town aforesaid: And also, and whatsoever doth pertain to the Clerk of the Market of our House, or of the House of our Heirs, together with the Correction and Punishment of all persons selling Wines, Bread, Beer, Ale, and other Victuals there to be sold, and of others there dwelling, or exercising Arts howsoever; and with all manner of Forfeitures, Fines and Amerciaments to be forfeited, with all other Things which therefore do or may there pertain to us, or our Heirs and Successors, from Time to come: And that they shall have there the Execution of all manner of Writs of ours, or of our Heirs and Successors, and of all other Writs, Commands, Extracts, and Warrants, with the Return of the same, by such their Ministers and Deputies, whom they shall thereunto chuse; and that the same Mayor and Commonalty, and Citizens, and their Successors, shall every Year have there, and through all the Town, Borough, Parishes and Precincts aforesaid, one Fair, Mart, to endure three Days; that is to say, the seventh, eighth, and ninth Days of the Month of September, to be holden, together with the Court of

(1) Possession.      (2) renounced or disowned.

Pye-Powder, and with all Liberties and Free-customs to such Fair pertaining: And that they may have and hold therein, and at the said Court, before their Minister or Deputy, through the said three Days, from Day to Day and Hour to Hour, and from Time to Time, all the Actions, Plaints and Pleas of the said Court of Pye-Powder, together with all Summons, Attachments, Arrests, Issues, Fines, Redemptions and Commodities, and other Rights whatsoever, to the same Court of Pye-Powder, by any means belonging; without any Impediment, Let, or Disturbance of Us, our Heirs or Successors, or of other our Officers or Ministers whatsoever. And also, that they may have in and through all the Precinct aforesaid, View of Frank Pledge, together with all Summons, Attachments, Arrests, Issues and Amerciaments, Fines, Redemptions, Profits, Commodities, and other Things whatsoever, which therefore may or ought there to pertain to Us, our Heirs and Successors, by any means. And further, that the said Mayor and Commonalty, and Citizens, and their Successors, may by themselves, or by their Minister or Deputy, in the Borough, Town, Parish, or Precincts aforesaid, constituted and to be constituted, take and arrest all manner of Felons, Thieves, and other Malefactors, found within the Borough, Town, Parishes and Precincts aforesaid, and may bring them to our Goal of *Newgate*, there to be safely kept, until by due Process of Law they may be delivered. And furthermore, that the said Mayor and Commonalty, and Citizens, and their Successors, may have in the Borough, Town, Parishes, and Precincts aforesaid, for ever, all and all manner of Liberties, Privileges, Franchises, Acquittals, Customs and Rights, which We or our Heirs should or might there have, if the same Borough or Town were or remained in the Hands of Us or our Heirs. And further, We have of our Grace, Knowledge, and Motion aforesaid, and by the Advice aforesaid, granted, and by these Presents do grant, for Us, our Heirs and Successors, to the said Mayor, Commonalty, and Citizens, and their Successors, that the said Mayor and Commonalty, and  
Citizens,



Citizens, from henceforth for ever, shall and may hold all and all manner of Contracts and Demands whatsoever, within the Borough, Town, Parishes and Precincts aforesaid, changing, happening, and growing, before the Mayor and Alderman and Sheriffs of the said City for the Time being, or any of them, in the *Guildhall* of the Chamber of the *Guildhall* and *Hustings* of the said City, or any of them, to be holden by like Actions, Bills, Plaints, Process, Arrests, Judgments, Executions, and other Things whatsoever, and at the same Days and Times, and in such like Manner and Form, as such, happening in the said City, have time out of mind been taken, held, levied, prosecuted and executed in the Court, before the Mayor and Aldermen and Sheriffs of the said City, or in any of them. And that the Serjeants at Mace of the City of *London* for the Time being, which have used to execute and serve any Process, or any other Things, in the said City, may be hereafter, make, do and execute any manner of Process, and do whatsoever Things in the said Borough, Town, Parishes, and Precincts, concerning all and singular Things arising and happening about such Pleas and Executions of the same, within the Precincts aforesaid, as by all the Time aforesaid, it hath been used in the said City of *London*; and that the Inhabitants of the Town and Borough, Parishes and Precincts aforesaid, as concerning the Causes and Matters there arising, may be impleaded, and plead in the same City in Form aforesaid, and in the Courts aforesaid. And if the Men Impannell'd and Summoned in Juries, for Tryals of such Issues, have not appeared before the said Mayor, Aldermen, and Sheriffs, in the said Courts of the said City, that then such Men impannell'd and Summoned as aforesaid making default, shall be amerced by the said Mayor or Sheriffs, and shall forfeit such Issues upon them returned, and to be returned, after the same or in like Manner and Form as the Men Impannell'd and Summoned in the said City for the like Issues in the Courts of the said City to be tryed, have before this Time forfeited, and have accustomed to forfeit. And

also, that such Amerciaments and Issues forfeited should be levied by the Ministers of the said City, to the use of the Mayor and Commonalty, and Citizens, and their Successors for ever. And also, that the same Mayor and Commonalty, and Citizens, and their Successors, shall and may from henceforth ever have Cognizance of all manner of Pleas, Actions, Plaints, and Suits Personal, happening or growing out of any Court of ours, or our Heirs, before us, or our Heirs, or before any of the Justices, for or concerning any Thing, Cause, or Matter, within the Town, Borough, Parishes, and Precincts aforesaid, before the Mayor, Aldermen, and Sheriffs, or any of them, in the said Courts of the said City, or any of them. And that the Issues happening upon the said Pleas and Suits shall be tryed in the same Courts, before the Mayor and Aldermen and the Sheriffs, or any of them, by the Men of the same Borough or Town, in such sort as Issues in the same City are tried. And that the said Mayor and Commonalty, and Citizens, and their Successors, may for ever choose, according to the Form of the Law, and may constitute every Year, or as often as, and in what time soever shall seem to them expedient, two Coroners in the Borough or Town aforesaid. And that the said Coroners, and either of them, be Elected and Constituted, may and shall have full Power and Authority to do and execute in the said Borough, Town, Parishes, and Precincts aforesaid, all and singular Things, which to the Office of Coroner, in any County of our Realm of *England*, do, or ought to pertain to be done and executed. And that none other Coroners of us, our Heirs, or Successors, shall enter into any Thing, which to the Office of such Coroner pertaineth, to be done within the said Borough, Town, Parishes, and Precincts; neither shall at all intermeddle about any Thing belonging to the Office of Coroner, happening within the Borough, Town, Parishes, and Precincts abovesaid. And that the Mayor of the said City for the Time being, shall be our Escheator, and Escheator of our Heirs, in the Borough, Town, Parishes, and Precincts aforesaid. And that he shall have full  
Power

Power and Authority to make his Brecept and Commandment to the Sheriff of the County of *Surry* for the Time being, and do, execute and finish there, all and singular, Things which appertain to the Office of Escheator in any County of our Realm. And that none other Escheator of our, or of our Heirs, shall enter there, into any Thing, which to the Office of Escheator appertaineth to be done; neither shall at all intermeddle with any Thing to the Office of Escheator there belonging. And that the Mayor of the said City for the Time being, shall be Clerk of the Market, and of the Market of our Heirs, within the Borough, Town, Parishes, and Precincts aforesaid; and shall do and execute therein all such Things which to the Clerk of the Market appertaineth. And that the Clerk of the Market of our House, or of the House of our Heirs, or any other Clerk of the Market, intermeddle not there. And that the said Mayor and Commonalty, and Citizens, and their Successors, shall and may henceforth, and for ever, have, hold, enjoy and use, as well within the said Manor, as in the Town, Borough, Parishes and Precincts aforesaid, as well all and singular Liberties and Franchises aforesaid, as Tolls, (1) Stallages, (2) Pickages, and other our Jurisdictions, Liberties, Franchises and Privileges whatsoever, which any Archbishop of *Canterbury*, and which the said *Charles*, late Duke of *Suffolk*, or any Master, Brethren, or Sisters, of the late Hospital of *St. Thomas's*, in *Southwark* aforesaid; or any Abbot of the said late Monastery of *St. Saviour's*, *St. Bermondsey*, next *Southwark* aforesaid, in the County aforesaid; or any Prior and Convent of the late Priory of *St. Mary Overy*, in the said County of *Surry*, or any of them, ever had, held or enjoyed in the said Manors, Lands, Tenements, and other the Premises or Places aforesaid, or any of them, or which we have, hold, or enjoy, by any Means whatsoever, as fully, freely, and in as ample Manner,

(1) A Payment for erecting or having a Stall.

(2) A Payment for breaking the Ground in order to erect such Stall.



as we, or our most dear Father *Henry* the Eighth, late King of *England*, had, held, or enjoyed, or ought to have, hold, and enjoy the same. And that none of our Sheriffs, or any other Officer or Minister of ours, or of our Heirs and Successors, shall any way intermeddle in the Town, Borough-Town, Parishes and Precincts aforesaid, or in any of them, contrary to this our Grant. And we, with the Advice aforesaid, do farther by these Presents grant to the said Mayor, Commonalty, and Citizens of the said City of *London*, and to their Successors, that all and singular Persons from Time to Time, inhabiting or resident within the Town, Borough, Parishes, and Places aforesaid, shall from henceforth be in the Order, Government, and Correction of the Mayor and Officers of the City of *London*, and their Deputies for the Time being, as the Citizens and Inhabitants of the said City of *London* be, and ought to be, by Vertue of the Charter before this Time by any Means made, granted, and confirmed by any of our Progenitors to the said Mayor and Commonalty, and Citizens of the said City, and their Successors, shall and may from henceforth have, hold, and enjoy so many and so great the same, such and the like Rites, Jurisdictions, Liberties, Franchises, and Privileges whatsoever, in the Towns, Parishes, and Places aforesaid, and in every Parcel thereof, as fully, freely and wholly, as the said Mayor and Commonalty, and Citizens of the said City enjoy and use, or may enjoy and use in the said City, by Vertue of any of the Charters and Grants made, granted, and confirmed by any of our Progenitors, Kings of *England*, to any Mayor, Commonalty, and Citizens of the said City. And that the Mayor of the same City for the Time being, and the Recorder thereof for the Time being, after the said Aldermen have exercised and borne the Charge of Mayor of the said City, shall be Justices of our Peace, and of our Heirs, in the Town, Borough, Parishes, and Limits aforesaid, so long as the same Aldermen shall be, and remain Aldermen of the said City; and every of them shall there do and execute all and singular Things which other Justices of our Peace, and our Heirs,

may

may do and execute within the said County of *Surry*, according to the Laws and Statutes of our Realm of *England*. And that the said Mayor and Commonalty, and Citizens, and their Successors, shall have on every Week on *Monday, Wednesday, Friday, and Saturday*, within the Borough and Town aforesaid, one Market or Markets, to be there holden, and all Things which to a Market do appertain or may appertain for ever. Except always, and reserved to us, our Heirs, and Successors, out of these our Letters Patents, all and all manner of Rights, Jurisdictions, Liberties, and Franchises whatsoever, within the *Walk, Circuit, and Precinct*, over the capital Messuage, Gardens, and Park, in *Southwark* aforesaid, and in all Gardens, (1) Curtilages, and Lands to the same Mansion, Gardens, and Park appertaining; and except and always reserved the House, Messuage, or Lodging there called the *King's-Bench*, and the Garden or Gardens to the same pertaining, with the Appurtenances, so long as it shall be used for a Prison for the Imprisoned as now it is. And except the Messuage and Lodging there called the *Marshalsea*, and the Gardens to the same belonging, with the Appurtenances, so long as it shall be used for a Prison as now it is. Provided also, that these our Letters Patents, nor any Thing therein contained, shall extend to the Prejudice of the Officers of the Great Master, Steward, and Marshal of our House, or of the House of our Heirs or Successors, to be exercised within the Town, Borough, Parishes, and Limits aforesaid, be within the Verge: Nor *John Gate*, Knt. one of the Gentlemen of our Privy Chamber, of or for Lands, Tenements, Offices, Franchises or Liberties, by us, or our Father, to the said *John Gate*, granted during his Life: Which Manors, Lands, Tenements, Rents, Privileges, and all other the Premises, are now extended to the yearly Value of 35*l.* 14*s.* 4*d.* to have, hold, and enjoy the said Manors, Messuages, Lands, Tenements, Meadows,

(1) Pieces of Garden Plat, or Ground, or Yard, pertaining to or lying near an House.

Feedings, Pastures, Commons, Woods, Underwoods, Rents, Services, Reversions, Court-leets, Views of Frank-pledge, Chattels, Waved Strays, Free-warrens, and all and singular the said Premises, with the Appurtenances (except before excepted) to the said Mayor and Commonalty, and Citizens of the said City of *London*, and to their Successors for ever. To be holden of us, and our Heirs and Successors, as of our Manor of *East-Greenwich*, in the County of *Kent*, by (1) Fealty only in (2) Fee Soccage, and not in Chief for all Services and Demands whatsoever. We give also, and for the Consideration aforesaid, do by these Presents grant unto the said Mayor and Commonalty, and Citizens of the said City of *London*, all the Issues, Rents, Revenues, and Profits of the said Manor, Messuages, Lands, Tenements, and all other the Premises, with their Appurtenances, coming and growing from the Feast of *St. Michael* the Archangel last past hitherto, to have the same, to the said Mayor and Commonalty, and Citizens, of our Gift, without Account, or any other Thing to us, our Heirs, and Successors, by any Means therefore to be given, paid, or made. And furthermore, of our ample Grace, we Will, and for us, our Heirs, and Successors, do by these Presents Grant to the said Mayor and Commonalty, and Citizens, and to their Successors, that we, our Heirs, and Successors, will yearly for ever discharge, acquit, and save harmless, as well the said Mayor and Commonalty, and Citizens, and their Successors, as the said Manors, Messuages, Lands, Tenements, and all other the Premises, with their Appurtenances, and every Part thereof, against us, our Heirs, and Successors; and

(1) An Oath taken at the Admission of a Tenant, to be true to the Lord of whom he holds his Lands.

(2) A certain Tenure of Lands held by inferiour Husbandry Services, to be performed to the Lord of the Fee, or Manor. Anciently this Tenure was of two Parts, viz. *Free* or *Common Soccage*, and *Bose Soccage*, commonly called *Villanage*. But since all Tenures by an Act of Parliament, the 12 of *Cha. II.* are adjudged and taken to be turned into *Fee* and *Common Soccage*.

against



against whatsoever Persons concerning all, and all manner of (1) Corodies, Rents, Fees, Annuities, Sums of Money, and Charges whatsoever, by any means giving out, or to be paid out of the Premises, or to be charged thereupon: Saving the Services above by these Presents reserved, and the Demises and Grants by any means made for Terms of Life, or Years, of the Premises, or any Parcel whereupon the Old Rent and more is reserved, and shall be due Yearly during the Terms aforesaid, and besides the Covenants in the Demises and Grants being; and saving 10 *l.* by the Year of the ancient Farm for the Town of *Southwark* aforesaid, by the said Mayor and Commonalty, and Citizens, due in our Exchequer, yearly to be paid and payable: Willing, and by these Presents by streight Injunction commanding, as well our Chancellor and General Overseers, and Council of our said Court of Augmentations, and Revenues of our Crown, and all Receivers, Auditors, and other our Officers, of ours or of our Heirs whatsoever, for the Time being, that they and every of them, upon the only shewing of these our Letters Patents, or of the Enrollments of the same, without any other Writ or Warrant from us or our Heirs, by any means to be obtained or prosecuted, shall make, and cause to be made unto the said Mayor and Commonalty, and Citizens of the said City of *London*, and their Successors, full Power and due Allowance, and manifest Discharge of all such Corodies, Rents, Fees, Annuities, and Sums of Money whatsoever, going out, or to be paid out of the Premises, or thereupon charged or to be charged (except as before excepted.) And these our Letters Patents, and the Enrollment of the same, shall be Yearly, and from Time to Time, a sufficient Warrant and Discharge, as well to the said Chancellor and General Overseers, and to our Council of our said Court of Augmentations and Revenues of our Crown, as to all Receivers, Auditors, and

(1) An Allowance of Meat and Drink towards the Maintenance of any Person whom the King shall appoint; or Money paid in lieu thereof.

other

other Officers and Ministers of ours, our Heirs and Successors whatsoever for the Time being in this Behalf. We Will also, and by these Presents do Grant to the said Mayor and Commonalty, and Citizens of the said City of London, that they may and shall have these our Letters Patents in due Manner made and sealed under our Great Seal of *England*, without Fine or Fee, great or small, to us in our (1) Hamper or elsewhere, to our Use to be by any means given, paid, or made, altho express Mention be not in these Presents made of the true yearly Value, or of the Certainty of the Premises, or of other Gifts or Grants of us, or by any our Progenitors, to the said Mayor and Commonalty, and Citizens, before this Time made; any Statute, Act, or Ordinance, Provision or Restraint thereof, made, ordained, or provided to the contrary, or any Thing Cause, or Matter whatsoever, in any Thing notwithstanding. In witness whereof We have caused these our Letters to be made Patents: Witness myself at *Westminster* the 23d Day of *April*, in the fourth Year of our Reign. (2)

We have also seen the Letters Patents of our most dear Father, Lord *James*, late King of *England*, &c. made in these Words: *James*, by the Grace of God, of *England*, *Scotland*, *France*, and *Ireland*, King, Defender of the Faith, &c. To all to whom our Letters Patents shall come, Greeting. *Whereas* our beloved the Mayor and Commonalty, and Citizens of our City of *London*, Time out of Mind, have had, exercised, and ought, and have accustomed themselves to have, and exercise the Office of Bailiff, and Conservation of the Water of *Thames*, to be exercised and occupied by the Mayor of the said City for the Time being, during the Time of his Mayoralty, or by his sufficient Deputies, in, upon, and about the Water of *Thames*,

(1) Or, Hanaper, an Office in Chancery, wherein are paid all Monies due to the King, for the Seal of Charters, Patents, &c. and to the Officers for enrolling the same.

(2) Sir *Andrew Jud*, Mayor, *Augustine Hind*, *John Lyon*, Sheriffs, anno 1557.

## City of LONDON.

(that is to say) from the Bridge of the Town of *Staines*, in the County of *Middlesex*, and toward the East unto *London-Bridge*, and from thence to a certain Place called *Kendall*, otherways *Yenland*, otherways *Yenleet*, towards the Sea, and East, and in *Medway*, and in the Port of the City of *London* aforesaid, and upon whatsoever Bank, and upon every Shore, and upon every Wharf of the said Water of *Thames*, within the Limits and Bounds aforesaid, and in, and upon, and about all and every of them: And also for all the Time aforesaid, have, had, and taken, and ought and have accustomed to have and take to their own proper Use, by the Mayor of the same City for the Time being, during the Time of his Mayoralty, or by his sufficient Deputies, all Wages, Rewards, Fees and Profits belonging to the same Office of Bailiff. And whereas the said Mayor and Commonalty, and Citizens, from all the Time aforesaid, have had and exercised the Office of Measurer, and measuring of all Coals and Grain of whatsoever Kind; and also of all Kind of Salt, and all Kind of Apples, Pears, Plumbs, and other Fruit whatsoever; and also all Kind of Roots eatable, of what Kind soever, and of Onions, and of all other Merchandizes, Wares, and Things whatsoever measurable, and the measuring of every of them, in or unto the said Port of *London*, coming, carried, or brought upon the said Waters in whatsoever Ship, Boat, Barge or Vessel, floating, laden, and being on whatsoever Part of the said Water of *Thames*, or upon whatsoever Bank, Shore, or Wharf of the same Water of *Thames*, which shall come to arrive, abide, be delivered, or laid down, from the said Bridge of the said Town of *Staines* Westward to the said Bridge of *London*, and from thence to the said Place called *Yendall*, otherways *Yenleet*, towards the Sea, and East, and in *Medway*: And in the said Port of the City of *London* aforesaid, to exercise and occupy the same Office by the Mayor of the City, for the Time, during the Time of his Mayoralty, or by his sufficient Deputies: And also for all the said Time they have had and taken, and ought to have and take to their proper



per Use, by the Mayor of the said City for the Time being, during his Mayoralty, or by his sufficient Deputies, all Wages, Rewards, Fees, and Profits to the same Office belonging: And notwithstanding they, the Mayor and Commonalty, and Citizens, of late Times thereof have been disquieted, and in some measuring aforesaid unjustly hindered, and especially in the said Office of measuring Coals, supposing that Office to the Mayor and Commonalty, and Citizens, anciently not to appertain, neither by any lawful Grant or Prescription, as yet to appertain and belong, whereas in truth it doth manifestly and plainly appear, that the same Offices, and all other Premises to them of Old Time appertaining, and do now of right appertain, and that they lawfully received and enjoyed, and ought to have, take and enjoy, the Wages and Rewards, Fees and Perquisites thereof; We therefore, to take away all Controversies, and remove all doubt in this Behalf, and to the Intent that the said Mayor and Commonalty, and Citizens, may securely, freely and quietly use, have, exercise and enjoy the Offices aforesaid, and every of them, and the measuring aforesaid, and the Fees, Wages, Rewards and Profits to the said Office and Measuring belonging, and all and singular other the Premises, to them and their Successors for ever, without the Contradiction, Molestation, or Hindrance any ways of Us, our Heirs or Successors, Admiral of *England*, Justices, Escheators, Sheriffs, Bailiffs, or other our Officers or Ministers whatsoever. And because it is well pleasing unto Us to shew Favour in this Behalf to the same Mayor, Commonalty, and Citizens, and rather encrease, strengthen, and enlarge, than diminish the Liberties, Franchises, Jurisdictions, Privileges, and Free-customs of the City of *London* aforesaid, of our special Grace, and from our certain Knowledge and meer Motion, We do by these Presents approve, allow, certify and confirm, for Us, our Heirs and Successors, all and singular the Offices and Measuring aforesaid, and other recited Premises, and the Wages, Fees and Profits belonging and appertaining thereto, and the Use and Customs aforesaid, to the

aid Mayor and Commonalty, and Citizens of the said City aforesaid, and their Successors. And further of our special Grace, and certain Knowledge, and meer Motion, We have Granted, and by these Presents, for Us, our Heirs and Successors, do grant to the said Mayor and Commonalty, and Citizens, and their Successors, that they may exercise and execute the said Office of Bailiff, and Conservation of the Water of *Thames*, by the Mayor of the said City for the Time being, during the Time of his Mayoralty, or his sufficient Deputies, from Time to Time, for ever, in, upon, or about the same Water of *Thames*, (that is to say) from the Bridge of *Staines* to the Bridge of *London*, and from thence to a certain Place called *Kenland*, otherways *Yeenleet*, towards the Sea, and towards the East, and *Medway*, and in the Port of the City of *London* aforesaid, and upon whatsoever Bank, shore, and Wharf of the same Water of *Thames*, within the Limits and Bounds aforesaid, in, upon, and about every one of the same, and to receive and collect, and enjoy all and singular Wages, Rewards, Fees, and Profits to the same Office of Bailiff pertaining, to the proper Use of the said Mayor and Commonalty, and Citizens, by the Mayor of the same City for the Time being, during the Time of his Mayoralty, or by his sufficient Deputies: And also of our more ample Grace, and from our certain Knowledge and meer Motion, We have given, and by these Presents, for Us our Heirs and Successors, do grant to the said Mayor and Commonalty, and Citizens, and their Successors, that they may peaceably and quietly, from Time to Time, for ever, execute and exercise the aforesaid Office of Measurer of all and singular Coals and Grain, of what Sort soever, and all Kind of Apples, Pears, Plumbs, and other Fruit whatsoever; and all Roots to be eaten of whatsoever Sort; and also of Onions, and other Merchandizes, Wares, and things measurable, and the Measuring of them, whatever in or to the Port of *London* coming, carried, or brought, in whatsoever Ships, Boats, Barges, or other Vessels, floating, laden, remaining, or being in any

any Part of the same River of *Thames*, and upon any Bank, or Shore, or Wharf of the same Water of *Thames*, happening to unlade, stay, remain, be delivered, or laid down from the said Bridge of the Town of *Staines*, in the County of *Middlesex*, and towards the West unto *London-Bridge* aforesaid, and from thence to the said Place called *Yendall*, alias *Yeenleet*, towards the Sea and East; and *Medway*, and in the said Port of the City of *London*, by the Mayor of the aforesaid City for the Time being, during the Time of his Mayoralty, or by his sufficient Deputies: And to have, receive, collect, and enjoy all and singular the Wages, Rewards, Fees, and Profits whatsoever to the same Office of Measuring belonging, or appertaining, to the Use of the said Mayor and Commonalty, and Citizens, and their Successors, to be received and taken up by the Mayor of the aforesaid City for the Time being, during the Time of his Mayoralty, or his sufficient Deputies, without the Hindrance of Us, our Heirs or Successors, or any of our Officers, Bailiffs, or Ministers, or of our Admiral of *England*, or of our Successors, or any others of our Subjects, or of our Heirs and Successors, to be made to the contrary: To have, hold, and enjoy the said Office, and all and singular the Premises, with all and singular Wages, Rewards, Fees, Profits, and Appurtenances whatsoever, to the said Offices, and every or any of them, belonging or appertaining, to the aforesaid Mayor and Commonalty, and Citizens, and their Successors for ever, by the Mayor of the aforesaid City for the Time being, during the Time of his Mayoralty, or his sufficient Deputies, to be exercised and executed, without any Account, or any other Thing, to be rendered or made thereof to Us, our Heirs or Successors; so as no other Bailiff, or Conservator of the said Water, or Measurer of Coals, Grain, Salt, Apples, Pears, Plumbs, Roots to be eaten, Onions, or other Merchandizes and Commodities, or of any Thing or Things above-mentioned, shall be, or shall in any wise intermeddle in the Premises or any of them. And We willing to shew to our said Mayor



Mayor and Commonalty, and Citizens, more ample Favour, of our special Grace, from our certain Knowledge and meer Motion, for us, our Heirs, and Successors, Grant, and by this our present Charter confirm unto the said Mayor and Commonalty, and Citizens, and their Successors, hitherto in some Case happening, have not used, or Peradventure have abused the Offices aforesaid, or any, or some of the Offices, or the Messuage aforesaid, or any Thing or Things to any or some of them appertaining or belonging: Notwithstanding they, the Mayor and Commonalty, and Citizens, and their Successors, from henceforth freely and peaceably shall use and enjoy the said Offices so, not without hindrance, used, or abused, and every of them, without the Let or Impediment of us, our Heirs, or Successors; or of our Justices, E cheators, Sheriffs, or other Bailiffs, Officers or Ministers of us, our Heirs, or Successors, any Statute or Ordinance made, or Judgment rendered, or any Charters of us, our Progenitors, or Predecessors, in Times past made or granted notwithstanding. Although there be no exprels Mention in these Patents of the true yearly Value or Certainty of the Premises, or of any of them, or of other Gifts or Grants by us, or any of our Progenitors or Predecessors to the said Mayor and Commonalty, and Citizens of the said City of *London* aforesaid, before these Times made, or any Statute, Act, Ordinance, Provision, Proclamation or Restraint to the Contrary thereof theretofore had, made, published, ordained or provided, or any other Thing, Cause or Matter whatsoever notwithstanding. In Witness whereof, these our Letters we have caused to be made Patents. Witness my self at *Westminster*, the 20th Day of *August*, in the Third Year of our Reign of *England, France and Ireland*, and of *Scotland* the 39th.

We have also seen certain other Letters Patents of our said most dear Father of Blessed Memory Lord *James*, late King of *England*, made in these Words: *James*, by the Grace of God, of *England, Scotland, France and Ireland*, King, Defender of the Faith, &c.

to all to whom these present Letters shall come, Greeting: Whereas very many of our Progenitors, sometimes Kings of *England*, of their special Grace, and for free, laudable, multiplied, and continued Service, done and expended in Times past by the Mayor, Commonalty, and Citizens of the City of *London*, and their Predecessors; and also, for divers other urgent Causes and Considerations them thereunto especially moving, have given, granted, and confirmed to the said Mayor and Commonalty, and Citizens of the City of *London*, and their Successors, divers Liberties, Privileges, Franchises, Immunities, Authorities, Jurisdictions, Ordinances, Customs, and Quittances, as by the several Letters Patents of our Progenitors and Predecessors, sometimes Kings of *England*, more fully and manifestly is and appeareth. We also, for and in Consideration of the high Fidelity, Constancy, and ready and laudable Service, by the said Mayor and Commonalty, and Citizens of our said City of *London*, to us in the Beginning of our Reign, and continually ever since manifested, faithfully done and expended. We have ratified and allowed, and by us, our Heirs, and Successors as much as in us is, do accept of and approve, all and singular the Letters Patents, Charters, and Confirmations of our most famous Progenitors and Ancestors, to the same Mayor and Commonalty, and Citizens of the said City of *London*, and their Predecessors, by whatsoever Name of Incorporation before these Times made, granted, or confirmed; and all and singular Gifts, Grants, Confirmations, Restitutions, Customs, Ordinances, Explanations, and all other Things whatsoever, in whatsoever Letters Patents or Charters of our Predecessors, Progenitors, or Ancestors, Kings of *England*; and also all and singular Things in the said Letters Patents, Charters, Grants, Confirmations, or any of them, contained, cited, confirmed, or explained; and all and singular Jurisdictions, Authorities, Privileges, Quittances, and Free-customs and Hereditaments whatsoever, which the said Mayor and Commonalty, and Citizens of the said City of *London*, or their Predecessors, by the Name of Mayor and Commonalty

Commonalty, and Citizens of the City of *London*; or by the Name of the Mayor and Aldermen of the City of *London*; or by the Name of the Mayor, Citizens, and Commonalty of the City of *London*; or by the Name of the Mayor and Commonalty of the City of *London*; or by the Name of the Citizens of the City of *London*; or by the Names of the Barons of *London*; or by the Names of the Barons of the City of *London*, or by any other Names whatsoever; by Reason or Force of any Letters Patents, Charters, or Confirmations of any of our Progenitors, Kings of *England*, which in any Time or Times they had reasonably used or exercised; and then all and singular to the said Mayor and Commonalty, and Citizens of the said City of *London*, and their Successors, do ratify and confirm. To have and hold, enjoy and exercise, all and singular the Premises to the same Mayor and Commonalty, and Citizens of the said City of *London*, and their Successors for ever, so fully, clearly, and entirely, and in as ample Manner and Form, as if they were or had been severally, particularly, and by Name in these Presents expressed and declared. And farther, we Will, and of our special Grace, for us, our Heirs, and Successors, do Grant, that the said Mayor and Commonalty, and Citizens, and their Successors, be restored to all and singular their Authorities, Jurisdictions, Liberties, Franchises, Privileges, Acquittances, Immunities, and Free customs; and we do restore the same to them, and their Successors, by these Presents, as fully, freely, and entirely, as they or their Predecessors, in any Time of our Progenitors or Predecessors, Kings of *England*, used or enjoyed, or ought to have, use, and enjoy the same. And we Will also, and by these Presents, for us, our Heirs, and Successors, of our special Grace, do Grant, that although the same Mayor and Commonalty, and Citizens of the City aforesaid, in some Case happening, have not hitherto used, or peradventure have abused the same, or any Authorities, Jurisdictions, Liberties, Privileges, Franchises, Immunities, Quittances, and Free-customs, in the Letters Patents and Charters

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aforesaid,



aforesaid, or any of them contained, and other their Customs: They, notwithstanding the Mayor and Commonalty, and Citizens of the said City, and their Successors, from henceforth, fully may enjoy and use the same Authorities, Liberties, Privileges, Franchises, Immunities, Quittances, and Free-customs whatsoever, totally not used or abused, and every of them, without Let or Hindrance of us, our Heirs, or Successors, the Justices, Sheriffs, Coroners, Escheators, or any other Bailiffs or Ministers of us, our Heirs, or Successors whatsoever, any Cause, Matter, or Thing whatsoever in Times past, to the Contrary thereof notwithstanding. To hold all and singular the Premises of us, our Heirs, and Successors, by the same and such like Services, Free farm, Rents, Sums of Money, and Demands whatsoever, by which, and as the same of us, and our Progenitors or Predecessors before this Time were holden. And whereas within the said City of *London*, the Liberties and Suburbs, and Port of the same, we are informed the Search and Surveying of Oil, Hops, Soap, Salt, Butter, Cheese, and such other like Things coming or brought to the Port of the said City, to the Intent to be sold or executed to Sale by way of Merchandize: And also the Measuring of all Corn whatsoever, of any kind, Onions, Salt, Sea-Coals, and Fruits of all kinds, Fish called Shell-Fish, measurable and used to be measured, which are coming or brought to the said City of *London*, to the Intent to be sold by way of Merchandize, hitherto have pertained to the Mayor and Commonalty, and Citizens of the City of *London*, and their Predecessors, to be exercised and executed by the Mayor of the same City for the Time being, according to the Laws, Ordinances, and Statutes made concerning the same, and the Custom of the said City. We, of our certain Knowledge and meer Motion, for us and our Successors, do ratify the same Search, Surveying, and Measuring aforesaid, in and by all Things, as the said Mayor and Commonalty, and Citizens of the said City, or their Successors, lawfully had and enjoyed before this Time; and to the said now Mayor and Commonalty,

monalty, and Citizens of the said City of *London*, and their Successors, confirm by these Presents. And further we will, and by these Presents, for us, our Heirs and Successors, do Ordain, and Grant to the said Mayor and Commonalty, and Citizens of the said City of *London*, and their Successors, that the said City of *London*, and the Circuit, Bounds, Limits, Franchises, and Jurisdiction of the same, do extend and stretch forth, and may and can extend and stretch forth, as well in and through all and singular the several Circuits, Bounds, Limits, Franchises, and Jurisdictions of the late dissolved Priory of the Church of *Trinity*, near *Aldgate*, *London*, commonly called *Creed-Church-Street*, or the *Dukes Place*; and the late dissolved Priory of *St. Bartholomew*, *London*, near *Smithfield*; and the late dissolved Hospital of *St. Bartholomew*, in *Smithfield*, without *Newgate*, *London*, commonly called *Great St. Bartholomew's* and *Little St. Bartholomew's*; and also the late dissolved House or Priory of *Preaching Fryars*, within *Ludgate*, *London*, commonly called *Black Fryars*; and also the late dissolved House or Priory of *Fryars* of the Order of the Virgin *Mary* of *Mount Carmel*, called *White Fryars*; and also the Inn or Liberty of *Cold Herbage*, otherwise *Cold Harburgh*, and *Cooled Harborough Lane*, within the Liberty of *London* aforesaid; so as from henceforth for ever, all and singular the Circuits and Franchises aforesaid of the late dissolved Priory Church of *St. Trinity*, and the said dissolved Priory or House of *St. Bartholomew*, and the said late dissolved Hospital of *St. Bartholomew*, and also the late dissolved House or Monastery of *Preaching Fryars*, and also the late dissolved House or Priory of *Fryars* of the Blessed Virgin *Mary*, and also the said Inn and Liberty of *Cold Harbour*, be, and every of them is, and for all Times to come shall be and remain within the Circuits, Precincts, Liberties, Franchises, and Jurisdictions of the same our City of *London*. And that all and singular the Inhabitants and Dwellers within the same, or any of them, shall be, and every of them is, and for all time to come shall be, and remain under the Rule, Government, Jurisdiction, Oversight, Search, Cor-

rection, Punishments, Precepts, and Arrests of the said Mayor and Commonalty, and Citizens of our City of *London* aforesaid, and their Successors: And the Sheriffs of our City of *London* for the Time being, and their Officers and Ministers for ever, any Liberties, Franchises, Privileges, Exemption, or Authority whatsoever, to the Contrary notwithstanding. Provided nevertheless, and we Will and Ordain, that all Persons now Inhabitants, or who shall inhabit in Time to come, within the Liberties and Franchises aforesaid of the said late dissolved Priory called the *Black Fryars*, and the late dissolved Priory called the *White Fryars*, and the whole Precinct, Circuit, and Compass of them, and all Buildings therein built, and to be built from henceforth for ever, shall be quit and exonerated of and from all Taxes, Fifteenths, and other Burthens of Scot, and of Watch and Ward, through or within the City of *London*, to be paid, made, sustained, or contributed, except the Charges and Expences due and reasonable for setting out Soldiers, and for the Defence of our Realm, and such like special Services, concerning us, our Heirs, and Successors; and except the Charges for Pavements and Cleansing the Lanes, Ditches, Ways, Water-courtes, and Sewers, within the Circuits, Precincts, Liberties, and Jurisdictions of the same late Houses or Priories called *Black Fryars* and *White Friars* aforesaid respectively to be paid. And that the Inhabitants shall be quit and exonerated of and from the Office of Constable and Scavenger, and such Offices of Charge within the City aforesaid, without the Circuits and Limits of the said late House or Priory called the *Black Fryars*, and the *White Fryars* respectively, to be executed and exercised. Nevertheless, we Will that all Freemen of the City aforesaid, for the Time being, inhabiting, or who shall inhabit, within the said Liberties and Franchises of the said late House or Priory of *Black Fryars* and *White Fryars* shall be charged eligible unto all Offices and Charges, as well Mayor, or Sheriffs and Aldermen of the said City, as of the Company within the said City of *London*, of which they are or shall be free,



as other Freemen of the said City are. And furthermore, for the better and common Profit of our City of *London*, and for the Accommodation and Supportation of the Charges and Expences of the said City, for Us, our Heirs and Successors, We will and grant to the same Mayor and Commonalty, and Citizens of the said City, and to their Successors, that from henceforth all and singular Persons, though they be not free of the same City, who now are or hereafter shall be dwelling within the said City, the Liberties or Precincts of the same, (except the Inhabitants within the Liberties and Franchises of the aforesaid several late Houses or Pories of the late Fryars, called the *Black Fryars* and the *White Fryars*) in whatsoever Aids, Tallages, Grants, and other Contributions whatsoever, to the Use and Service of Us, our Heirs and Successors, or to the Use of the said City, for maintaining the State, Good or Benefit of the said City, howsoever to be assessed, shall reasonably be taxed and shall contribute. And the same Mayor and Commonalty, and Citizens of the City aforesaid, may and can levy the same Aids, Tallages, Grants, and other Contributions (except before excepted) by their Officers and Ministers, by Distress of the Goods and Chattels of such Persons, who from Time to Time shall be charged with the Payments of such Aids, Tallages, Grants, and other Contributions, of any of them, and so levied, they can and may have, hold and enjoy, to the Use and Behoof aforesaid: Provided nevertheless always, that such Residents and Dwellers in any Houses within the aforesaid City, who are not or will not be Freemen of the aforesaid City, shall be taxed such Aids, Tallages, Grants, and other Contributions from Time to Time only, for the Houses in which they shall inhabit or reside, or are dwelling within the same City of *London*, Liberties or Precincts of the same, according to the Custom of the said City shall be assessed and taxed, and not otherwise: Provided also, that if any one, or any of the said Inhabitants, Residents, or Dwellers, who are not, or shall not

not be a Freeman, or Freeman of the said City, shall think himself, by reason of the said Aids, Tallages, Grants or Contributions, unjustly grieved; that then and in such Cases, the Chancellor of *England* of Us, our Heirs and Successors for the Time being, upon the Complaint of any Person or Persons so grieved, shall moderate and qualify such Aids, Tallages, Grants and Contributions, as to him in that Behalf shall be thought fit, which Moderation shall stand and be of Force. And furthermore We will, and by these Presents, for Us, our Heirs and Successors, do grant to the aforesaid Mayor and Commonalty, and Citizens, and their Successors, that the Mayor and Recorder of the said City, which now are, and every Mayor and Recorder of the same City, who hereafter for the Time being shall be, as well those Aldermen of the said City, as those Aldermen who shall for the Time to come bear the Charge of Mayoralty of the same City, after that they have ceased, or removed from the Office of Mayoralty of the same City, and so long as they shall continue Aldermen of our City of *London* aforesaid, for ever be, and shall be our Justices, and of our Heirs and Successors, and every one of them be, and shall be Justices and Keepers of Us, our Heirs and Successors, in and through all and singular Circuits, Precincts, Liberties, Franchises, and Places aforesaid, commonly called *Black Fryars*, the *White Fryars*, *Dukes Place*, otherways *Creed - Church Street*, *Great St. Bartholomew's*, *Little St. Bartholomew's*, and *Cold Harborough* aforesaid, and every of them, and to keep, or cause to be kept and executed, all Ordinances and Statutes of this Realm, made for the Good of our Peace, and for the quiet Rule and Government of our People, in all their Articles, according to the Force, Form and Effect of the same; and to chastise and punish those, who, contrary to the Form and Effect of those Ordinances and Statutes, or any of them, within the Limit, Franchises and Places aforesaid, are found to offend, as ought to be done, according to the Form of the said Ordinances and Statutes, and to make to come before them, all those who threaten

threaten any of the People of Us, our Heirs or Successors, concerning their Bodies, or burning their Houses, to find sufficient Security of the Peace or Good-behaviour towards Us, our Heirs or Successors, and if they refuse to find such Security, them to cause to be safely kept in Prison, until they shall find such Security. And further, We will and grant, for Us, our Heirs and Successors, that the Mayor of the said City for the Time being, and the Recorder of the same now being, and who for the Time to come shall be, and every Alderman as aforesaid, who has been, or hereafter shall be, Mayor of the said City, after they shall cease or be amoved from the Office of Mayoralty of the said City, and so long as the Aldermen of the said City shall continue, or any four or more of the same, Mayor, Recorder, and Aldermen, (whereof the Mayor and Recorder of the same City for the Time being, we will to be Two) from henceforth for ever, may be Justices of Us, our Heirs and Successors, to enquire of all and all manner of Felonies, Witchcrafts, Inchantments, Sorceries, Magick Art, Trespasses, Forestallers, Regraters, Ingrossers, and Extortions whatsoever, and of all and singular other Mis-deeds and Offences, of which our Justices of the Peace may and ought lawfully to enquire, howsoever or wheresoever done or committed, or which hereafter shall be done or attempted, in the Liberties, Franchises, and Places aforesaid; and also of all other who within the said Franchises, Liberties and Places go or ride in Assemblies, or Armed Force, against our Peace, and to the Disturbance of our People; and also of those who lie in wait to kill our People, or hereafter shall presume to lie in wait: And also of Hostlers, and all and singular other Persons who have offended or attempted, or hereafter shall presume to offend or attempt, in abuse of Weights and Measures, and in selling Victuals, against the Form of the Ordinances and Statutes, or any of them, made for the common Profit of our Kingdom and People; and also to hear and determine all and singular the same Felonies and Mis-deeds, according to  
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the Laws and Statutes of our Realm of *England*; and also to hear and determine, do, execute, all and singular other Things or Things, which pertain, have pertained, or in Time to come may pertain, to Justices of the Peace within the said City of *London*: So always, that the said Mayor, Commonalty, and Citizens, and their Successors, may have and hold all and singular their ancient Privileges free, whole, and unhurt; And that no other Keepers of the Peace, or Justices, or other Officers or Ministers, of Us, our Heirs or Successors whatsoever, shall intermeddle in the same, or any of them. We Will also, and by these Presents, for Us, our Heirs and Successors, Charge and Command our Sheriffs of the said City of *London* for the Time being, that from Time to Time they be assisting, aiding, attending and devising, as it behoveth to the said Mayor, Recorder, and Aldermen, and every or any of them, in execution of the Premises, and according to our true Meaning herein expressed. And further, We do hereby give and grant, for Us, our Heirs and Successors, to the said Mayor and Commonalty, and Citizens of our said City of *London*, and their Successors, that the said Mayor and Commonalty, and Citizens, and their Successors for the Time being, may have and enjoy to their own proper Use, without any Account thereof to be rendered to Us, our Heirs and Successors, all Treasure found or to be found in the said Franchises and Places, called *Black Fryars*, *White Fryars*, *Dukes Place*, *Great St. Bartholomew's*, *Little St. Bartholomew's*, and *Cold Harbour* abovesaid, and waved Goods and Chattels and Estrays, Goods and Chattels of Felons, and Fugitives, for whatsoever Felony done, or to be done by them, within any the said Franchises or Places, adjudged or to be adjudged, before Us, our Heirs and Successors, or any the Justices aforesaid: And it shall be lawful for the said Mayor and Commonalty, and their Successors, by their Deputy or Minister, Deputies or Ministers, of the said City, Liberties, or Suburbs of the same, to put themselves in Seizin and Possession of, and in, all manner of Treasure

sure found, Goods and Chattles waved and estrayed, Goods and Chattels of Felons and Fugitives, from Time to Time when they shall happen, by Vertue of these our Letters Patents, without any further Warrant whatsoever. We will also, and by these Presents grant, to the said Mayor and Commonalty, and Citizens of the said City of *London*, that they shall have these our said Letters Parents under the Great Seal of *England*, in due Manner and sealed, without Fine or Fee, great or small, to be rendered, paid, or made to Us in our Hamper, or otherwise to Us in any wise for the same, for that expresse mention is made of the Time, yearly Value, or Certainty of the Premises, or any of them, or of any other Gifts or Grants made by Us, or by our Progenitors or Predecessors, to the said Mayor and Commonalty, and Citizens of *London* before their Time, or any Statute, Ordinance, Provision, Proclamation, or Restriction, to the Contrary thereof heretofore made or ordained, set forth or provided, or any other Thing, Cause or Matter whatsoever; whereof these our Letters We have caused to be made Patents. Witness ourself at our Honour of *Hampton-Court*, the 20th Day of *September*, in the Year of our Reign of *England, France, and Ireland* the Sixth, and of *Scotland* the Two and Fortieth. (1)

We have moreover seen certain other Letters Patents of our said most dear Father of Blessed Memory, Lord *James*, late King of *England, &c.* made in these Words: *James*, by the Grace of God, King of *England, Scotland, France, and Ireland*, Defender of the Faith, &c. To all to whom these present Letters shall come, Greeting. So great is the Force of our Love towards our City of *London*, our Royal Chamber, as whatsoever is in Us, that We shall see necessary and profitable to the Mayor, Commonalty, and Citizens of our City of *London*, that we have been ready freely to give from our Soul to the said Mayor, Commonalty, and Citizens of our said City:

(1) *Humphrey Wold Mayor, George Bolles Richard Far-  
rington, Sheriffs. anno 1609.*

And it pleases Us well, that all Grants made by our Predecessors in Times past to our City of *London* be not only confirmed but also enlarged: Therefore, whereas amongst other Things it appears, that amongst other Things, the said Mayor and Commonalty, and Citizens of *London*, from all Time whereof the Memory of Man is not to the contrary, have had and lawfully exercised the Office of measuring all Coals of what Kind or Sort soever in any Port of the same City, coming, brought, or carried upon the Water of *Thames*, in any Ship, Boat, Barge, or other Vessel whatsoever, floating or being upon what Part soever of the said Water of *Thames*, or on what Bank, Shore, or Wharf soever, of the same Water of *Thames*, from the Bridge in the Town of *Staines* in the County of *Middlesex*, and to the Bridge of *London*, and from thence to a certain Place called *Yendal*, or *Yenland*, or *Yeenleet*, towards the Sea, and East, and also in *Medway*, in the Port of the City of *London*: Nevertheless a Question is risen, whether the Weighing of Coals, brought within the Limits aforesaid, together with the Measuring of Coals, doth belong to the Mayor, Commonalty, and Citizens of the said City. We therefore to take away all Controversies in this Part, as well for the Present as for the Time to come, and to remove all Doubt, and to the Intent the said Mayor and Commonalty, and Citizens of the said City may use, have, and enjoy, as well the Weighing as Measuring, and each as the Wages, Rewards, Fees, and Profits used for the same, of our special Grace, have given, granted, and confirmed, and by these Presents for us, and our Heirs, and Successors, do give, grant, and confirm to our beloved the Mayor and Commonalty, and Citizens of our said City of *London*, and to their Successors, the Weighing of all Coals, call'd Stone-Coals, Pit-Coals, Earth-Coals, and all other Coals weighable, of what kind or sort soever, in or at the said Port of *London*, coming or brought up the said Water of *Thames*, in any Ship, Boat, Barge, or other Vessel whatsoever, floating or being in any Part of the same Water of *Thames*; and upon  
whatsoever



whatsoever Bank, Shore, or Wharf of the said Water of *Thames*, from the said Bridge of *Staines*, to the said Bridge of *London*, and from thence to the said Place called *Yendal*, towards the Sea. And also in *Medway*, and in the Port of *London*, to be sold or put to sale; and also all Fees, Wages, Rewards, Profits and Advantages used, or to that belonging or any wise appertaining: To be exercised by the Mayor of the said City for the Time being, and by the Deputies, Officers, and the Ministers of the said Mayor. And further, we do hereby for us, our Heirs, and Successors, give, grant, and confirm to the said Mayor and Commonalty, and Citizens of the said City, and their Successors, that they for ever have and enjoy the Office of Weighing all Coals, call'd Stone-Coals, Pit-Coals, Earth-Coals, and all other Coals weighable of what kind or sort soever at the Port of the said City of *London*, coming or brought upon the said Water of *Thames* in any Ship, Boat, Barge, or other Vessel whatsoever, floating or being in any Part of the said Water of *Thames*, or upon any Bank, Shore, or Wharf of the same, from the said Bridge of *Staines* to the said Bridge of *London*, from thence to the said Place call'd *Yendal*, towards the Sea; and also in *Medway*, and in the Port of *London* aforesaid, to be sold or set to sale; and also all Fees, Wages, Profits, Rewards, and Advantages whatsoever used, or to the same Office belonging, or in any way appertaining, to be exercised by the Mayor of the same City for the Time being, and by the Deputies, Officers, and Ministers of the said Mayor.

And we have also constituted, and by these Presents for us, our Heirs, and Successors, do constitute and ordain, create and make, the said Mayor and Commonalty, and Citizens of the said City of *London*, and their Successors, by the Mayor of the same City for the Time being, during the Time of his Mayoralty, or by his Deputies, Officers, or Ministers, to be Weigher of all and singular Coals, call'd Stone-Coals, Pit-Coal, Earth-Coals, and all other Coals weighable of what kind soever, in or at the Port of the said City of *London*, coming, carried, or brought upon the same

River of *Thames*, in any Ship, Boat, or Barge, or other Vessel whatsoever, floating or being in any Port of the said Water of *Thames*; and upon any Bank, Shoar, or Wharf of the same Water of *Thames*, which shall happen to stay, be delivered, or laid down from the said Bridge of *Stains* to the aforesaid Place call'd *Tendall*, towards the Sea; and also in *Medway*, and in the Port of *London* aforesaid, to be sold or put to sale. And whereas there is a question risen of the Quantity of the Fee demanded and received by the Mayor of the said City for the Time being, and by their Deputies, Ministers, and Officers for the Weighing of every Tun weight of Coals, containing Five Score and Twelve Pounds weight to every Tun weight of Coals, brought within the Limits aforesaid: We, wholly to take away every the said Question, and the like Question, do declare, establish, and for us, our Heirs, and Successors, do grant to the said Mayor and Commonalty, and Citizens of the said City, and their Successors, that it shall be lawful for the Mayor, Commonalty, and Citizens of the said City for the Time being, by the Mayor of the same City, and by the Deputy, Minister, and Officers of such Mayor for the Time being, to ask and demand, take and receive, a Fee of 8 *d.* of lawful Money of *England*, to the use of the said Mayor and Commonalty, and Citizens of the said City, and their Successors, for the Weighing of every such like Tun of Coals aforesaid, and all other Coals weighable of what kind soever; and according to the same Rate for a smaller Quantity, in the Person bringing such like Coals for and in Respect of the Charge and Costs of them, the said Mayor, Commonalty, and Citizens of the said City of *London*, and their Successors, in the Beam and Weights, and for and in Respect of their Attendance, Labour, and necessary Costs and Expences, to be had in and about the Premises; which Fee of 8 *d.* aforesaid the said Mayor and Commonalty, and Citizens of the said City, had and received formerly. And also we command, and by these Presents, for us, our Heirs, and Successors, firmly enjoin and charg all Merchants, and

other

other Persons whatsoever, who shall bring Coals called Sea-Coal, Pit Coals, of what kind or sort soever, the same shall be within the Limits aforesaid, upon the Water of *Thames* aforesaid, in any Ship, Boat, or Vessel whatsoever; that none of them shall henceforth unlade, deliver, or lay down, nor cause or permit such like Coals to be unladen, delivered, or laid down out of such Ships, Boats, or other Vessels, being within the Limits and Bounds aforesaid, upon any Wharf, Bank, or Shore, upon either Part of the said Water of *Thames*, or to be discharged or laid down, before the Mayor of our said City, for the Time being, shall take certain Notice of the Quantity of such Coals, and shall give Direction for the unloading of the same, and for the Measuring or Weighing of such Coals, to the Intent that the same Mayor of the said City for the Time being may be able to render a better and more ready Reason and Account to us, our Heirs, and Successors, what Quantity of Coals, of what sort soever, from Time to Time, have been brought within the Port of our said City and Limits aforesaid, and how the said City, and the Ports and Places next adjoining, are from Time to Time provided, when we, our Heirs, and Successors, shall require the same from the Mayor of our said City for the Time being: And also to the Intent that the Sums and other Profits due to us, our Heirs, and Successors, for such Coals, so to be brought within the Limits aforesaid (if there shall be any due) may be better answered and paid into the Offices and Ministers of us, our Heirs, and Successors, under Pain of Contempt of our Royal Mandate, and incurring all such Pains and Punishments which by the Laws and Statutes of this Realm of *England* may be inflicted upon such Neglecters and Contemners. And whereas it is notoriously known, that the River of *Thames* is so necessary, commodious, and practicable to the said City of *London*, and without the said River our said City would not long subsist, flourish, and continue: and for that, by Forestalling, Ingrossing, and Regulating of Coals, in and at the Port of the said City, brought from the Water of *Thames* aforesaid, such



Coals are made more dear, to the great Loss and Prejudice as well of us as of our Subjects. And whereas divers ill-dispos'd Persons, more affecting their own private Gains and Profits, than the general and publick Good and Benefit of our said City, little weighing the Conservation of the said River of late, and at present do daily and usually sell Coals, and other Things by Retail in less Quantities in Boats, commonly call'd Lighters, and other Vessels floating and being on the Water of *Thames* aforesaid, after such Coals have been unladen from the Ships and other Vessels which first brought them within the Limits aforesaid, which Persons make the same Boats or Lighters as their common on Shops and Warehouses, and in them do daily hold upon the said Water of *Thames* a common Market for selling of such Coals, and other Things, having one, two, three, and sometimes more Boats and Lighters lying together, and fastened one to the other in the River of *Thames* aforesaid, by which Forestalling, Ingrossing, and Regrating aforesaid, to the great Cousinage, Damage, and Oppression, as well of the Poor as of the Rich, daily increases and augments, and the Price of Coals and other Things is made deare. And for that, by the frequent Importation, Unlading, and Measuring of such Coals, and such like Things in and from the said Boats and Lighters, many of the same Coals and other Dirt often fall, and are cast into the River of *Thames*, to the great Harm and Choaking up the Stream of the same River, and the Passage of the Passengers upon the Water of the same River: We therefore thinking it fit that such an evil ought not to be permitted to continue, we command and for us, our Heirs, and Successors, prohibit all Persons whatsoever, that they, nor any of them, from henceforth sell, or presume to sell, any Coals, of what kind soever, upon the Water of *Thames*, in any Boat, Lighter, or other Vessel whatsoever, except only in such Ships or other Vessels which at first brought the same Coals within the Port of the said City, and the Limits aforesaid, unless upon some Port Key, or Wharf, near the said River, upon Pain of Contempt.

Contempt We

Contempt of our Royal Mandate, and incurring such Pains and Punishments which may be inflicted by the Laws and Statutes of this our Kingdom upon such Contemners and Neglecters. And because it is our Intent, that the same Mayor and Commonalty, and Citizens of the said City, and their Successors, shall fully enjoy the Premises, we therefore by these Presents declare and signify for us, our Heirs, and Successors, do Grant and Covenant to, and with the said Mayor and Commonalty, and Citizens of the said City, and their Successors, that they may safely, freely and quietly have, use, and enjoy all and singular the Premises forever, without hindrance of us, our Heirs, or Successors, or any Officers or Ministers of us, our Heirs, and Successors. And if any Doubt in Time to come shall be found in these Presents, or any Default, Scruple, or Question concerning the Premises shall happen to arise, we, our Heirs, and Successors, shall vouchsafe to make and grant other Letters Patents under the Great Seal of *England*, our Heirs, or Successors, to the same Mayor and Commonalty, and Citizens of the said City, and their Successors, for the better giving, granting, and confirming, and for the better enjoining of the Premises, when it shall be desired by the said Mayor and Commonalty, and Citizens of the said City, and their Successors, for the better giving, granting, and confirming, and for the safer enjoying the Premises, when it shall be desired by the same Mayor and Commonalty, and Citizens of our said City, and their Successors; for that the express Mention of the true yearly Value, or of the Certainty of the Premises, or of other Gifts and Grants, by us, or by any of our Ancestors, made in Times past, to the said Mayor and Commonalty, and Citizens of the said City, is not made, or being in these Presents, or any other Statute, Act, Ordinance, Proclamation, or Restriction, to the Contrary heretofore made, ordained, or published, or any other Matter or Thing whatsoever in any wise notwithstanding. In Witness whereof we have caused these our Letters to be made Patents. Witness my self at *Westminster*, the 15th Day of *September*, in the 12th Year

Year of our Reign of *England, France and Ireland,*  
and of *Scotland* the 48th. (1)

KNOW ye now, that we deeply considering and calling to Memory the good and laudable Services performed by our beloved and faithful Subjects, the said Mayor and Commonalty, and Citizens of the City of *London*, which we graciously accept; and from our Soul affecting the good and happy Estate of our said City, to encrease and enlarge with the greatest Favour and Grace we can, and to establish with all Care and Diligence we can, the Rule and Government of our said City, of our special Grace, and from our certain Knowledge and meer Motion, and for divers other good Causes and Considerations especially, moving us at present, we do accept and approve of, for us, and our Heirs, and Successors, as much as in us lies, all and singular the Letters Patents, Charters, and Confirmations aforesaid; and all and singular Gifts, Grants, Confirmations, Restitutions, Customs, Ordinances, Explanations, Articles, and all other Things whatsoever, in the same Letters Patents or Charters (except as herein after excepted.) And all and singular Lands, Tenements, Offices, Jurisdictions, Authorities, Privileges, Liberties, Franchises, Quittals, Immunities, Free-customs, and Hereditaments whatsoever, which the said Mayor and Commonalty, and Citizens of the City of *London*, or their Predecessors, by the Name of Mayor and Commonalty, and Citizens of the City of *London*; or by the Name of Mayor and Aldermen, Citizens, or Commonalty of *London*; or by the Name of Mayor, or Citizens of the City of *London*; or by the Name of Mayor and Commonalty of the City of *London*; or by the Name of Citizens of the City of *London*; or by the Name of Barons of *London*; or by any other Name whatsoever; by Reason and Force of the said Letters Patents, Charters, or Confirmations; or by Use or Prescription, or any other lawful Means, at any Time or Times heretofore they have had, rati-

(1) Sir Thomas Haynes, Mayor, Peter Proby, Martin Lumley, Sheriffs, anno 1615.



sied, and bestowed: And all those we ratify and confirm by these Presents to the said Mayor and Commonalty, and Citizens of the said City of *London*, and their Successors. We will also, and for the said Considerations aforesaid, for us, our Heirs, and Successors, do grant that the said Mayor and Commonalty, and Citizens, and their Successors, be fully and wholly restored to all and singular their Authorities, Jurisdictions, Liberties, Franchises, Privileges, Quittals, and Free-customs whatsoever aforesaid (except such as are herein after excepted) and all and singular the same, to the said Mayor and Commonalty, and Citizens and their Successors: We, for us, our Heirs, and Successors, do restore by these Presents as fully, freely, and wholly, and in as ample Manner and Form, as they, or their Predecessors had used, or enjoy the same in any Time of our Progenitors or Predecessors, once Kings or Queens of *England*. We will also, and by these Presents, for us, our Heirs, and Successors, grant that it shall be lawful for the said Mayor and Commonalty, and Citizens of the City of *London* aforesaid, any Authority, Office, Jurisdiction, Liberty, Privilege, Franchise, Immunity, Quittals, Free-customs, mentioned in the Letters Patents or Charters aforesaid, or any of them, or other their Customs which hitherto they have used, or perhaps have abused or not claimed when they ought to have claimed; that they nevertheless, the Mayor and Commonalty, and Citizens of the City of *London*, and their Successors, may henceforth for ever fully have, enjoy, and use any Matter, Cause, or Thing, whatsoever in Times past had, made, or provided to the Contrary thereof notwithstanding; without Hinderance or Impediment of us, our Heirs, and Successors, our Justice, Sheriffs, Coroners, Escheators, or any other Bailiff or Minister of us, our Heirs, and Successors whatsoever; the same Authorities, Offices, Jurisdictions, Liberties, Privileges, Franchises, Immunities, Quittals, and Free-customs whatsoever, in likewise not used or abused, or not claimed, or any of them. And to the Intent the said Mayor and Commonalty, and Citizens of the said City, and their

their Successors, in Time to come, may the more safely, freely, and quietly hold and enjoy to them and their Successors for ever, all and singular the Premises in the said Letters Patents or Charters before mentioned, or intended to be given or granted by the same; and for the Intent that no Ambiguity, Controversies, doubtful Construction, or Question of, or about the Premises, may henceforth arise, but be altogether taken away: We, for the Considerations aforesaid, and of our special Grace, for us, our Heirs, and Successors, do give and grant to the said Mayor and Commonalty, and Citizens of the City of *London*, and their Successors for ever, all and singular the Manors, Lands, Tenements, Offices, Fees, Rewards, Liberties, Privileges, Jurisdictions, Immunities, Ordinances, Quittals, Hereditaments, and all and singular other Things whatsoever in the said Letters Patents or Charters afore recited, or any of them contained or mentioned to have been given or granted, with all and singular the Appurtenances (except such as in the same Charters or Letters Patents, or in these Presents are excepted) as fully, plainly, freely, and wholly, to all Intents and Purposes, as if they had, been expressed, named, mentioned, declared, and manifested severally, and namely, and Word for Word, in these Presents, to hold all and singular the Premises by these Presents mentioned to be granted or confirmed, with all Appurtenances of us, our Heirs, and Successors, by such the same or the like Services, Fees, Fee-farm, Rent, Sums of Money, and Demands whatsoever, by which or what, and as all and singular the said Premises were formerly held of us, or our Predecessors, or were intended to be held by the same Letters Patents, Charters, or otherwise. And whereas Lord *Henry the Sixth*, late King of *England*, our Predecessor, by his Letters Patents, under the Great Seal of *England*, bearing Date at *Westminster* the 26th Day of *October*, in the 23d Year of his Reign, (1) granted unto the Citizens

(1) Sir *Henry Fowick*, Mayor, *Stephen Foster*, *Hugh Witch*, Sheriffs, anno 1445. All Charters of King *Henry the Sixth* being made void, are not therefore herein transcribed.

of the City aforesaid, amongst other Things, that the same Citizens, and their Successors for ever, should have all Soils, Commons, (1) Purprestures, and Improvements, in all Wafts, Commons, Streets, Ways, and other Places in the City and Suburbs aforesaid, and in the Water of *Thames*, within the Limits of the same City, together with the Profits of the same Purprestures and Improvements; and that they may improve, and rent, and enjoy the Rents of them and their Successors for ever, and likewise several other Things as in the said Letters Patents more fully appears. And whereas in the Parliament of the said Lord *Henry* the Sixth, late King of *England*, held at *Westminster*, in the 28th Year of his Reign, (2) it was enacted, by the Authority of the same Parliament, that the same King should take, resume, seize, and retain into his Hands and Possession all Honours, Castles, Lordships, Towns, Villages, Manors, Lands, Tenements, Wafts, Rents, Reversions, Fees, Fee-farms, and Services, with all Appurtenances, in *England*, *Wales*, and the Marshes of the same, *Ireland*, *Guiana*, *Calice*, and the Marshes of the same, which the said Lord *Henry*, by his Letters Patents, or otherwise, had granted, from the First Day of his Reign; and all Honours, Castles, Lordships, Towns, Villages, Manors, Lands, Tenements, Wafts, Rents, Reversions, Fees, Fee-farms, and Services, with all their Appurtenances, which were of the Dutchy of *Lancaster*, and by the King himself conveyed by Grant or Grants of the same King, and the said King to have, hold, and retain all the same Premises in like State he had them at the Time of such Concession, made by the same King of the same: And that all Letters Patents by the said King, or any other Person or Persons, at the Request and Desire of the said King, to any Person or Persons, made of the Premises, or any of them, should be void, and of no Force in Law, as by the same Act of Par-

(1) or Enclosures.

(2) Sir *Thomas Chalton*, Mayor, *William Halin*, *Thomas Canning*, Sheriffs, anno 1450.



liament (amongst other Things) doth more plainly appear.

23<sup>rd</sup> July  
20<sup>th</sup> Nov  
7<sup>th</sup> And whereas our most famous Progenitor *Henry* the Seventh, late King of *England*, &c. by his Letters Patents, under the Great Seal of *England*, bearing Date at *Westminster* the 23<sup>d</sup> of *July*, in the 20<sup>th</sup> Year of his Reign, reciting, among other Things, all and singular Donations, Confirmations, Grants, Restitutions, Innovations, Ordinances, and all other Articles and Things in the said Letters Patents contained, he did accept and approved, and ratified and confirmed all and singular the said Things to the said Mayor and Commonalty, and Citizens of the said City, and their Heirs and Successors, by the same Letters Patents; and did grant and confirm by his said Letters Patents all and singular those Things, as fully, plainly, and wholly, as if they had been severally and Word for Word expressed, declared, and manifested in the said Letters Patents of the same Lord *Henry* the Seventh, to the same Mayor and Commonalty, and Citizens, and their Successors, as by the said Letters Patents, among other Things, more plainly appears. And whereas there are divers Questions lately risen concerning the Validity as well of the said Letters Patents of the said Lord *Henry* the Sixth, as of the said Lord *Henry* the Seventh, thereupon made by Reason or Pretence of the same Act of Parliament, concerning Resumption aforesaid; We, willing that all Questions thereof should be from henceforth taken away, and to the Intent the Mayor, Commonalty, and Citizens of the City of *London*, and their Successors, may the better more safely and quietly have, hold, and enjoy some Things in the said Letters Patents of the said late King *Henry* the Sixth herein after expressed; nevertheless, with some Provisoos, Exceptions, Restrictions, and Explanations, in these Presents mentioned, it is our good Pleasure, by these our present Letters, to grant and confirm to the said Mayor, Commonalty, and Citizens, and their Successors, the same particular Things, and others hereafter specified, in such Manner and Form as is afterwards mentioned. KNOW ye therefore,

therefore, that we, for divers good Causes and Considerations, especially moving us thereunto, of our special Grace, and from our certain Knowledge and meer Motion, have given and granted, and by these Presents, for us, our Heirs, and Successors, that the Mayor and Recorder of the said City, who now are, and for the Time shall be, as well those Aldermen who formerly have been Mayors of the City, as those Aldermen who for the Time to come shall sustain and bear the Burthen and Office of the Mayoralty of the said City, although they shall cease from their Mayoralty, or are dismissed from it, so long as nevertheless they stand Aldermen, and the three senior Aldermen of the said City for the Time being who have stood longest in the Office of Alderman, and before that Time have not yet borne the Burthen and the Office of the Mayoralty of the said City, for ever Keepers, and each of them a Keeper of the Peace, of us, our Heirs, and Successors, within the City of *London* aforesaid, and the Liberties of the same, to be concerned and kept. And we do constitute, make, and ordain by these Presents, for us, our Heirs, and Successors, the same Mayor, Recorder, and Aldermen aforesaid, our Keepers and Justices; and each of them the Keeper and Justice of us, our Heirs, and Successors, within the City of *London* aforesaid, and the Liberties of the same, to keep, and cause to be kept, all and singular the Statutes and Ordinances made or to be made for the good of the Peace of us, our Heirs, or Successors, for the Conservation of the same, and for the quiet Rule and Government of the People, of us, our Heirs, and Successors, in all their Articles, as well within the said City as the Liberty thereof, according to the Force, Form, and Effect of them; and to correct and punish all those whom they shall find offending against the Form and Effect of the said Ordinances and Statutes, and any of them, in the City aforesaid, and the Liberties thereof, as should be done according to the Form of those Ordinances and Statutes; and to cause all such who shall threaten all or any of the People of us, our Heirs, and Successors, concerning their Bodies, or  
Burning

Burning their Houses, to find sufficient Security for his Peace and good Behaviour towards us, our Heirs, and Successors; or if they shall refuse to find such Security, then to cause them to be safely kept in our Goal of *Newgate*, or in any other Prison of us, our Heirs, and Successors, in the said City of *London*, untill they shall find Security; and to do and execute all such Things which the Justices and Keepers of the Peace of us, our Heirs, and Successors, within any County of our Kingdom of *England*, are enabled, may, or ought, by Vertue of any Statutes or Ordinances of this our Kingdom of *England*, or by Vertue of any Commission of us, our Heirs, and Successors, to execute or do for the keeping of the Peace in any the like Counties. We will also, and by these Presents, for us, our Heirs, and Successors, do grant to the said Mayor, Commonalty, and Citizens of the City of *London*, and their Successors, that the Mayor and Recorder of the said City for the Time being, and such like Aldermen as is aforesaid for the Time being, who have formerly borne and exercised the Office or Place of Mayoralty of that City, and thereof such like (as aforesaid) senior Aldermen for the Time being who have not yet borne the Place of Mayoralty aforesaid; or four of the same, Mayor, Recorder, and Aldermen, (whereof we will the said Mayor, or Recorder for the Time being to be one) be Justices of us, our Heirs, and Successors, for us, our Heirs, and Successors forever; to enquire as often, and when it shall seem best expedient for them, by the Oath of honest and lawful Men, as well of the City aforesaid as the Liberty of the same, by whom the Truth of the Thing may better be known, concerning all manner of Murders, Felonies, Punishments, Witchcrafts, Inchantments, Sorceries, Art-Magic, Transgressions, Forestallings, Regratings, Ingrossings, and Extortions whatsoever; and of all and singular other Misdemeanors and Offences heretofore had or committed, or which shall henceforth happen to be done or attempted, concerning which the Justices of the Peace of us, our Heirs, and Successors, may or ought lawfully enquire within



the City aforesaid, or the Liberties thereof: And as well of all others who have in Companies, within the said City and Liberties thereof, gone or rode, or shall from henceforth presume to go or ride armed against us, our Heirs, and Successors; all also of those who there have lain in wait, or shall presume to lay in wait, for the Time to come, to maim or kill the People of us, our Heirs, and Successors; and also of all Hostlers and other Persons who shall offend, or attempt in the said City, and in the Liberty of the same, in the Abuse of Measures and Weights, or in the selling of Victuals against the Form of the Ordinances and Statutes, or any of them made, or to be made, for the common Profit of our Kingdom of *England*, and the same People of us, our Heirs, and Successors; and also of all Sheriffs, Constables, Goalers, and other Officers, who have behaved themselves unduly about the Premises, or any of them, or shall presume hereafter to behave themselves unduly, or shall have been remiss or negligent, or shall so be within the City aforesaid, and in the Liberties of the same; and of all and singular Articles and Things whatsoever made or committed, or which henceforth shall be made, or attempted any way concerning the Premises, or any of them, in the City aforesaid, and Liberties of the same: And to see into whatsoever Indictments which shall be taken before the Mayor or Recorder of the City aforesaid for the Time being, or such like (as is aforesaid) Aldermen, or four or more of them (whereof we will the said Mayor or Recorder for the Time being to be one. And to take and continue Process against all and singular so indicted, or who after shall chance to be indicted, until they shall be taken, render themselves, or outlawed. And to hear and determine all and singular Murthers, Felonies, Poisonings, Witchcrafts, Enchantments, Sorceries, Magic Arts, Transgressions, false Conspiracies, and other Misdemeanors, Foretellings, Regratings, Ingrossings, Extortions, Conventicles, and Judgments aforesaid, and all and singular the Premises, according to the Laws and Statutes of our Kingdom of *England*, as used and ought to be

done in such like case. And to chastise and punish the same Offenders for their Faults by Fines, Redemptions, Amerciaments, Forfeitures, and otherwise, as hath been, and ought to be, according to the Law and Custom of our Kingdom of *England*, and the Form of the Ordinances, and Statutes of the same. And to do, exercise, hear, determine, and execute all and singular Things within the said City and Liberties thereof, which Justices of the Peace, by the Laws and Statutes of our Kingdom, may, and are enabled to do, enquire, and execute, and in as ample Manner and Form as any one or other Justices of the Peace, in any other County of this our Kingdom of *England*, may, and are enabled lawfully to do, enquire, punish, or execute, giving it strictly in Command, by these Presents, for us, our Heirs, and Successors, to our Sheriffs of our said City for the Time being, and their Successors, Sheriffs of the said City, and to whatsoever Citizens of the said City who now are, and in Time to come shall be, that they be attending, counselling, answering, and aiding to the said Keepers of the Peace, the aforesaid Mayor and Recorder for the Time being, and such Aldermen as are aforesaid, in all and singular Things which do or may belong to the Office of Keeper of the Peace, and such like Justices within the said City and Liberties of the same, according to the said Form, as often and when they shall be duly required by them, or some or one of them, in behalf of us, our Heirs, and Successors.

KNOW ye also, that we for the Consideration aforesaid, have given and granted and by these Presents for us our Heirs and Successors, do give and grant to the said Mayor and Commonalty and Citizens, of the said City and their Successors, all recognizances taken or to be taken, acknowledged or to be acknowledged, forfeited or to be forfeited, for Appearance at any Session or Sessions of the Peace, holden or to be holden before the Mayor, Recorder, and Aldermen of the said City, as is aforesaid; or any other Justices, of us, our Heirs or Successors, assigned or to be assigned for, or concerning the Peace in the City of *London* and the

**Liberties**

Liberties thereof: And also all and all Manner of Recognizances taken or to be taken, acknowledged or to be acknowledged, forfeited or to be forfeited, before the Justices of us our Heirs and Successors for, and concerning the Peace in the same City and Liberties of the same, assigned or to be assigned, or by one or any of them, for and concerning the keeping and maintaining of Bastard Children, and the keeping harmless the Parishes of the said City, touching such like Children, or of inmates dividing of Houses in or for several Habitations, or of suppressing of Ale-houses within the said City and Liberties thereof: And for the Observation of such like Orders, which from Time to Time, by the said Justices of the Peace, or any of them have been made, touching any of the late mentioned Premises, and also all Manner of Recognizances taken or to be taken, acknowledged or to be acknowledged, forfeited or to be forfeited for Appearance of any Session or Sessions of Goal Delivery, of and for Prisoners in the same for the Time being, held or to be held in, and for the said City and the Liberties thereof: And also Fines and Issues of Jurors, and all other Issues, Fines and Amerciaments forfeited and to be forfeited, of and for all and singular the Matters, Causes and Occasions aforesaid, and of and for whatsoever Transgressions, Riots, Offences, Misprisons, Extortions, Usurpations, Contempts of Laws, Violations, and other Misdemeanors done, or to be committed in the said City or the Liberties of the same, before the Mayor, Recorder and Aldermen of the said City for the Time being, or any of them, or any of the Justices of us, our Heirs and Successors, concerning the Peace in the said City, or before the Justices of us our Heirs and Successors, assigned or to be assigned to hear and determine Felonies, Transgressions and Misdemeanors, in the said City and Liberties thereof, or before any Justices of us, our Heirs, and Successors, or any of them in the City aforesaid, judged or to be adjudged, forfeited or to be forfeited, together with the Assessments and Levies of the same, as often, and when there shall be need: Saving and



always reserving unto us our Heirs and Successors, all, and all Manner of Issues, and Amerciaments, commonly called Fines or Issues royal, hereafter from Time to Time to be imposed upon, these the Mayor and Aldermen and Sheriffs of *London* and *Middlesex*, and for the Time or any of them respectively, or by them to be forfeited and paid. And further we by these Presents, for us, our Heirs and Successors do give and grant to the said Mayor and Commonalty and Citizens and their Successors, all, and all Manner of Recognizances taken or to be taken, acknowledged or to be acknowledged, broken or to be broken, not observed or not to be observed, before the said Justices of the Peace in the said City, and the Liberties of the same or any of them for the Peace and Security of the Peace and good Behaviour; and also all Manner of Recognizances taken or to be taken, acknowledged or to be acknowledged, before the Mayor of the said City for the Time being, in his Court or on the Conservancy of the River of *Thames*, within the Limits of the same River, or in our said Letters Patents of our said Father as aforesaid, is recited and mentioned for due fishing and observing of good Order, in taking of fish, or otherwise, for the Preservation of small Fish in the said River of *Thames*, as for the Conservation of the same Water or Shoars, or Banks of the same River, made or to be made, broken or to be broken; and also all Fines and Amerciaments, Pains and Penalties whatsoever assessed imposed or adjudged, or to be assessed or adjudged, by or before the Mayor of the said City for the Time being in his Courts, as Conservator of the said River of the *Thames*, without any Account, or other Thing to be render'd or made to us or our Heirs or Successors. And further for the Considerations aforesaid, we have given and granted, and by these Presents for us, our Heirs and Successors, do give and grant to the said Mayor and Commonalty and Citizens and their Successors, all and all manner of Fines and Amerciaments, and Forfeitures, which by Reason or Force of any Commission or Commissions of Sewers, of us our Heirs and Successors issued, or to be issued forth, with-

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in the City of *London* and the Liberties of the same, under the great Seal of *England* of us our Heirs and Successors, taxed, imposed, assessed or adjudged upon any Person or Persons, without any Account or any other Thing to be rendered, paid, or made to us, our Heirs or Successors. *And further*, for the Consideration afore said we by these Presents, for us, our Heirs and Successors do give grant and confirm to the said Mayor and Commonalty and Citizens of the said City and their Successors, all Messuages, Houses, Edifices, Cottages, Buildings, Courts, Yards, Gardens, Conduits and Cisterns, Shops, Sheds, Porches, Benches, Cellars, Doors of Cellars, Stables, Stalls, Stayes, Pales, Posts, Jutties and Penthouses, Sign Posts, Props of Signs, and the Ground and Foundation of them, Shores, Watercourses, Gutters, and Easements, with their Appurtenances which now are, or at any Time hereafter have been erected, built, taken, enclosed, obtained, encreased, possessed or enjoyed by the said Mayor and Commonalty and Citizens, and their Successors, or any other Person or Persons whatsoever of, in, upon, or under all or any void Grounds, Wafts, Commons, Streets, Ways and other common Places within the said City, and the Liberties of the same, and in the River or Water of *Thames*, or Ports, Banks, Creeks, or Shores of the same, within the Liberties of the said City. We will also and by these Presents for us, our Heirs and Successors, declare and grant that the said Mayor and Commonalty and Citizens and their Successors for ever may have, hold, and enjoy, all those Fields called or known by the Name of the *Inward Moor* and *Outward Moor*, in the Parish of *St. Giles* without *Cripplegate*, *St. Stephen* in *Coleman-Street*, *London*; and *St. Botolph* without *Bishopsgate*, *London*; or in some of any of them, and also all that Field called *West-smithfield* in the Parish of *St. Sepulchers*, *St. Bartholomew the Great*, *St. Bartholomew the Less*, in the Suburbs of *London*; or in some of them; to the Uses, Intents and Purposes after expressed. And that the same Mayor and Commonalty and Citizens and their Successors, may be able to hold in the said Field

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called *Smithfield*, Fairs and Markets there to be, and used to be held, and to take, receive, and have Pickage, Stallage, tolls and Profits appertaining, happening, belonging, or arising out of the Fairs or Markets there, to such Uses as the same Mayor and Commonalty and Citizens, or their Predecessors had held or enjoyed, and now have, hold, and enjoy, or ought to have hold and enjoy the said Premises last mentioned, and to no other Uses, Intents or Purposes whatsoever. And that we, our Heirs or Successors, will not erect or cause to be erected, nor will permit or give leave to any Person or Persons to erect and build a new one or any Messuages, Houses, Structures, Edifices, in or upon the said Field called *Inner Moor*, or the Field called *Outward Moor*, or the said Field called *West-Smithfield*; but that the said separate Fields and Places be reserved, disposed and continued to such like common and publick Uses, as the same Fields heretofore and now are used, disposed or converted to (saving nevertheless and always reserving to us our Heirs and Successors, all Streets, Lanes and Alleys, and now waste and void Ground and Places, as they are now within the City and Liberties of the same) to hold and enjoy the said Messuages, Houses, Edifices, Court Yards, and all and singular the Premises granted or confirmed or mentioned to be granted and confirmed with all their Appurtenances, (except before excepted) to the said Mayor and Commonalty and Citizens of the said City and their Successors for ever. To hold in free and common on (1) Burgage and not (2) in *Capite*, or by Knights Service. And further by these Presents, for us our Heirs and Successors, we pardon, remit, and release to the said Mayor and Commonalty and Citizens of the City of *London*, and their Successors, all and sin-

(1) A Tenure by which Lands are held of the King or some Lord, for an annual Rent.

(2) A Tenure by which a Person held of the King immediately, as of his Crown, either by Knights Service or Soccage, and not of any Honour, Castle or Manor belonging to it. By a Statute 12 of *Charles II.* All such Tenures are abolished.



gular Issues, Profits and Rents of all and singular the same Messuages, Edifices, Houses, Structures, Pent-houses, and other the Premises last mentioned (except before excepted) any Way due or incurred before the Date of these Presents, to us, or our Predecessors, and the Arrearages of the same, without any Account, Molestation, Suit or Impediment of us, our Heirs or Successors, or any Justices, Officers or Ministers of us, our Heirs and Successors, and this without any Writ of (1) *Ad quod Damnum*, or any other Writ or Inquisition to be procured, issued or prosecuted in that behalf. And that it shall be lawful to the said Mayor, Commonalty and Citizens of the said City and their Successors, to put themselves, by them or their Deputies in full and peaceable Possession and Seizin of all and singular the Premises, as often, and when it shall seem good and expedient, and thereof to have good Allowance in any Court whatsoever, of us, our Heirs and Successors, from Time to Time, without Hindrance, Impediment or Perturbation of us, our Heirs or Successors, our Justices, Treasurers of *England*, Barons of the Exchequer or other Officers or Ministers whatsoever, of us, our Heirs and Successors. And further for the Consideration aforesaid, for us our Heirs and Successors, we do pardon, remit, release and exonerate to the Mayor and Commonalty and Citizens of the said City and their Successors, all and all Manner of Entries, Intrusions and Ingresses whatsoever at any Time heretofore had, or made, of, in, or upon the Premises aforesaid, or any Part of them, without any Right or legal Title of the said Mayor and Commonalty and Citizens of the said City, and their Predecessors, or their Tenants, Farmers or Assigns, or any other Person or Persons we will nevertheless, and for us, our Heirs and Successors, do ordain and declare by these Presents, that these our Letters Patents or any Thing contained in them, shall not be interpreted

(3) A Writ for the Sheriff to enquire what Damage, the Grant of the Market, Fair, turning a Road, or High Way, may do to others.

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or construed to the taking or administhing the Force or Effect of any Proclamations published hereafter, of or concerning Buildings and Edifices in the said City, and the Liberties of the same and in the Places adjoining, for any Contempts or Offences whatsoever committed or to be committed; nor to remit or to release any Offences or Contempts heretofore committed or hereafter to be committed against the Tenor of the same or any of them, but that the same Proclamations may be and remain in their full Force, any thing in these Presents to the contrary notwithstanding. And we will and declare by these Presents, for us, our Heirs, and Successors, that such like Edifices, Structures, Incroachments and Purprestures, which before this Time have been made, or had upon any Churches or Walls of Churches within the said City and Liberties thereof, be and shall be, subject to such Reformation, as shall be appointed by us our Heirs and Successors, or our Privy Council, for the Time being, in that Behalf any Thing in these Presents to the contrary notwithstanding. And moreover, we for us, our Heirs and Successors, do give grant and confirm by these Presents, to the said Mayor Commonalty and Citizens of the City of *London*, and their Successors, the Office or Exercise of Garbling of whatsoever Merchandizes and other things which ought to be garbled, at any Time arriving or coming to the City of *London* by what Names or Appellations soever, that they are at present called or known, or shall happen hereafter to be called or known by; and although the same Spices and Merchandizes now and heretofore have not been wont to be imported into the Kingdom of *England*, or City aforesaid, but shall happen in Time to come, to be imported. And we have made, constituted, and ordained, and by these Presents for us, our Heirs and Successors, that the Mayor and Commonalty and Citizens, and their Successors, garblers of all and singular the said Spices and Merchandizes and other Things, which, as aforesaid ought to be garbled; to have, hold, and enjoy, and exercise the Office and Occupation aforesaid, and the disposing, ordering, surveying and correcting.

correcting of the same, together with all and singular the Fees, Profits and Emoluments, lawfully belonging and due to the same Office of garbling, to the aforesaid Mayor and Commonalty and Citizens of the said City and their Successors, to be occupied and exercised by them, their Deputy and Deputies, Officer and Officers, Minister and Ministers, without rendring or making any Account or other Thing to us, our Heirs or Successors. And further, we will and for us, our Heirs and Successors, do grant to the said Mayor and Commonalty and Citizens of the said City, and their Successors, and their Deputies, Officers and Ministers, to ask, demand, take, and receive, to the Use of the said Mayor and Commonalty and Citizens of the City aforesaid, and their Successors for garbling of the said Spices, Things and Merchandizes, for which no Fee or Reward, heretofore has been had or taken, which how great or of what shall be appointed and allowed for garbling by the Lord Chancellor or Treasurer of England, or President of the Council of us, our Heirs or Successors, and the two chief Justices of the *Kings-Bench* and *Common-Bench* for the Time being, or by any four of them at least, and by them subscribed without any Account, or any Thing to be rendered to us, our Heirs and Successors; excepting nevertheless, and out of these Presents reserving all such like Grants of or for garbling of Tobacco, which has heretofore been made by us or some of our Progenitors or Predecessors. And further for us our Heirs and Successors, do give, grant, and confirm, by these Presents, to the said Mayor and Commonalty and Citizens of the said City and their Successors, the Office, Occupation and exercise of gaging of whatsoever Wines, Oils and other Merchandizes and Things gagable within the said City, at any Time arising or coming to the said City, by what Names or Appellations soever they are at Present known or called; and although the same Wines, Oils, Things or Merchandizes now or heretofore have not wanted to be imported.

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And we do make, constitute, and ordain, by these Presents, for us, our Heirs, and their Successors, Gagers of all and singular the said Wines, Oil, Things, and Merchandizes which ought to be gaged, to have and to hold, and to enjoy and exercise the Office, Exercise, and Occupation aforesaid, and disposing, ordering, surveying, and correcting the same; together with all and singular Fees, Profits, and Emoluments, lawfully belonging or appertaining to the same Office; to the said Mayor and Commonalty, and Citizens of the said City, and their Successors, for ever, to be exercised and occupied by them, their Deputy, and Deputy's Officer, and Officers, Minister, and Ministers, without Account, or any other Thing thence to be made or rendered to us, our Heirs, or Successors. And further we will, and for us, our Heirs, and Successors, do grant to the said Mayor and Commonalty, and Citizens of the said City, that it shall and may be lawful to the same Mayor and Commonalty, and Citizens of the said City, and their Successors, and their Deputies, Officers, and Ministers, to ask, demand, take, and receive, to the use of them the said Mayor and Commonalty, and Citizens, and their Successors, for the Gaging of the said Wines, Oils, and other Things, and Merchandizes which ought to be gaged, the Fees, Wages, and Rewards belonging to the said Office, and such so great and such like Wages, Fees, and Rewards for Gaging such Wines, Oils, Things, and Merchandizes, for which no Fee or Reward was heretofore lawfully had or received, which, how great, and what like shall from henceforth be appointed and allowed for Gaging by the Lords, Chancellor, and Treasurer of *England*, and President of the Councils of us, our Heirs, and Successors, and the two chief Justices of the *King's-Bench* and *Common-Bench* for the Time being, or by any Four of them at least, and by them subscribed, without any Account, or other Thing, to be rendered or made thereof to us, our Heirs, and Successors. And further, for the Consideration aforesaid, we do, by these Presents, for us, our Heirs, and Successors, give, grant, and confirm to the said Mayor and

and Commonalty, and Citizens of the City of *London*, and their Successors the Office of keeping the great Standard and common Balance, ordained to weigh between Merchant and Merchant; and also the Office of Keeper of the great Balance or Weight within the said City of *London* for Weighing of all Merchandizes of *Avour du pois*; and also all Weights whatsoever within the same City, of all sorts of Wares, Merchandizes, and Things to be weighed, by what Names or Appellations soever at present they be called or known, or hereafter shall happen to be called or known; and although the same sort of Wares, Merchandizes, and Things heretofore were not accustomed to be weighed, but in Time to come shall happen to be weighed or bought and sold by Weight. And we do, for us, our Heirs, and Successors, by these Presents, ordain, make, and constitute the said Mayor and Commonalty, and Citizens of the City of *London*, and their Successors, Keepers of the great Standard, Balance and Weight, and all Weights whatsoever; and also Weigher of all sorts of Wares, Commodities, Merchandizes, and Things to be weighed, and which have been accustomed and used to be bought and sold by Weight within our said City, to have and exercise the said Office and Occupation aforesaid by them, their Deputies, Officers, or Ministers, together with the Fees, Profits, Wages, Rewards, and Emoluments of Right belonging or appertaining to the same Office, without any Account, or any other Thing, to be made, rendered, or paid, for any of the last mentioned Premises, in this behalf to us, our Heirs, or Successors. And also, of our more ample Grace and meer Motion, we will, and by these Presents, for us, and our Heirs, and Successors, do grant to the said Mayor and Commonalty, and Citizens, that it may and shall be lawful to the same Mayor and Commonalty, and Citizens of the said City, and their Successors, and their Deputies, Officers, and Ministers, to ask, demand, take, and receive, to the use of the same Mayor and Commonalty, and Citizens, for the Weighing of all Merchandizes of *Avour du pois* aforesaid; and all sorts of Commodities, Wares,

Wares, and Things to be weighed, the Fees and Rewards of Weighing the same sort of Commodities, Merchandizes, and Things to be weighed, for which no Fee or Reward was heretofore lawfully had or received, which, how great, and what like they shall be, for weighing, from henceforth shall be appointed and allowed by the Lords, Chancellors, and Treasurers of *England*, President of the Council of us, our Heirs, and Successors, Lord Keeper of the Privy-Seal, Lord Steward of the House of us, our Heirs, and Successors, the two chief Justices of the *King's-Bench* and *Common-Bench* for the Time being, or by Four of them at least, and by them subscribed, without Account, or any Thing to be rendered or made to us, our Heirs, and Successors. And also, we will for us, our Heirs, and Successors, do erect and create in and through the said City and Liberties thereof, and in and through our Borough and Town of *Southwark*, in our County of *Surry*, a certain Office, called *Outroper*, or *Common Cryer*, to and for the selling of Household-stuff, Apparel, Leases of Houses, Jewels, Goods, Chattels, and other Things, of all Persons who shall be willing that the said Officers shall make Sale of the same Things by publick and open claim, commonly called Outcry, and Sale in Common and open Place or Places in the said City, and the Liberties of the same, and for the Town and Borough of *Southwark* aforesaid: And the same Office, for the Consideration aforesaid, we, for us, our Heirs, and Successors, do give and grant to the said Mayor, Commonalty, and Citizens of the City of *London*, and their Successors, for ever, to have and exercise the same Office by them or their Deputy, Officer, or Minister, Officers, Deputies, and Ministers, being first allowed or admitted thereto by the Mayor and Commonalty, and Citizens of the said City, for the Time being, in Common-Council of the said City assembled, or the Major Part of them: And that it shall and may be lawful to the said Mayor and Commonalty, and Citizens of the City of *London*, and their Successors, and their Deputy or Deputies, Officers, or Ministers, to demand, take, and keep, for the Use of

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the said Mayor and Commonalty, and Citizens aforesaid, the Wares and Fees expressed in a certain Schedule hereunto annexed. And we will, and, for us, our Heirs, and Successors, do strictly appoint, command, and charge all Persons, that neither they nor any of them presume to sell any Goods, Chattels, Household-stuff, Apparel, Jewels, and other Things in publick Claim, called Outcry, in the City aforesaid, or the Liberties of the same, or in the Borough and Town of *Southwark*, under Pain of our Royal Displeasure.

And also, for the Consideration aforesaid, we, for us, our Heirs, and Successors, do grant to the said Mayor and Commonalty, and the Citizens of the said City, and their Successors, and by these Presents do declare, that the Relicts and Widows of Freemen of the said City, using manual Arts and Occupations so long as they shall continue Widows, and remain in the same City from Time to Time, and at all Times hereafter may and be licenc'd to use and execute and exercise the same Arts and manual Occupations in the said City, although they were not educated by the space of seven Years as Apprentices, notwithstanding the Statute made and published in Parliament of Lady *Elizabeth*, late Queen of *England*, in the 5th Year of her Reign; or any other Statute or Ordinance to the Contrary notwithstanding. And further, for the Considerations aforesaid, we, by these Presents, for us, our Heirs, and Successors, do grant and confirm to the said Mayor and Commonalty, and Citizens of the City of *London*, and their Successors, that no Market shall henceforth be granted, erected, or permitted, by us, our Heirs, or Successors, within seven Miles in Compass of the said City. And because we understand that it has been of an ancient Custom of the said City had and allowed in the Circuits of the Justices of our Progenitors, once Kings of *England*, to the Citizens aforesaid, that the Mayor and Aldermen of the said City for the Time being ought to Record, by Word of Mouth, all their ancient Customs, as often and whensoever any Thing in Act or Question touching the said Customs happens,

and is moved before any Justice, We (the same being considered) willing that the Customs of the said City be rather enlarged than diminished, of our special Grace, have granted, for us, our Heirs, and Successors, to the said Mayor and Commonalty, and Citizens, and their Successors, that whensoever, and as often as there shall happen, any Issues to be taken of or upon the Custom of the said City between any Parties in Pleading (although they themselves be Parties) or if any Thing shall be moved or happen in Pleading, Act, or Question, touching the Customs aforesaid, before us, our Heirs, or Successors, or Justices for holding Pleas before us, our Justices of the common Bench, Treasurer and Barons of the *Exchequer*, or any other Justices of us, our Heirs, or Successors, which shall exact or require Inquisition, Search, or Tryal, the Mayor and Aldermen of the said City for the Time may record, testify, and declare, by Word of Mouth, by the Recorder of the said City for the Time being, those Customs; and that by such Record, Testimony, and Declaration, without taking any Jury thereupon, or making any further Process, they may speedily proceed to the Caption or Determination of the Plea, Deed, or Cause of Business. We have given also and granted, and, by these Presents, for us, our Heirs and Successors, do give and grant to the said Mayor and Commonalty, and Citizens, and their Successors, Treasure found in the same City, or the Liberty of the same; and also waived or strayed Goods and Chattels of all Felons and Fugitives, for Felonies committed by them in the said City, or the Liberties of the same, judged or to be adjudged before us, our Heirs, or Successors, or any of our Justices. We have granted also, and, for us, our Heirs, and Successors, by these Presents, do grant that the Mayor of the said City, and their Successors, for the Time being, may Name the Chancellor of *England* for the Time being, two of the Aldermen of the said City, of which one, at the Nomination of the said Mayor, shall be one of the Keepers of the Peace in the County of *Middlesex*, and the other in the County of *Surry*, who shall be in

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serted with others into all Commissions henceforth to be made for the Conservation of the Peace, in the Counties aforesaid; and may henceforth do, concern, and execute those Things which are to be done by the Keepers of Peace of the Counties aforesaid, according to the Force and Effect of the Commissions directed or to be directed to them and others. And whereas the Freedom of the City of *London* in Times past was had in such Price and Estimation, that many Merchants, though themselves happy to enjoy the same, and to be reputed Members of the same City: And whereas divers Persons, being Sons of certain Freemen of the said City, Resident in our said City, and others who were Apprentices of Freemen of the said City, Resident in our said City, in these late Times have used, and daily do use and exercise Merchandize, Negotiation, and Commerce, from the Ports of the same City, to Ports beyond the Seas, and by Reason thereof have, and do gain and require great Profits and Advantages to themselves, refusing or at least delaying to become Freemen of the said City, and to be admitted into the Liberty of the same City, although they be capable of the same, and so they have Privileges, and yet are loose and free from publick Offices, Places, Charges, and Burdens of the said City, for our Service and Honour, and for the Upholding of the State and Profit of that City, and the Weakening of the Government of the said City, and Impoverishing the Freemen, and Disparaging of the Liberty thereof. We considering these Things, and intimately desiring, as much as in us is, to strengthen and enlarge the Liberties of the said City (our Royal Chamber) and to conserve, support, and protect the Rule and Government, and good and happy State of that City. We will, appoint, ordain, and declare, for us, our Heirs, and Successors, that all they who are, or hereafter shall be Sons of Freemen of the City, or who are or hereafter shall be Apprentices or Servants of Freemen of our said City, and now do, or hereafter shall reside or inhabit in the same City, or the Liberties of the same, or within ten Miles distant from any Part of the same, and do or shall use



Merchandizes; and who do, or shall refuse or delay to become Freemen of the said City, shall not be permitted at any Time henceforth, by themselves or by others, directly or indirectly, to transport any Goods, Wares, or Merchandizes, by way of Merchandizing, in any way, from the Port of our said City of *London*, to Ports Foreign or beyond the Seas; willing, and, for us, our Heirs, and Successors, we do firmly command the Governors, Assistants, and Merchants Adventurers of *England*; the Governors and Assistants of the *English* Merchants trafficking in the *Baltick* Sea; the Society of *English* Merchants for Discovery of new Commerce; the Governors and Society of Merchants of *England* trading into the *Levant* Seas; the Governor and Society of Merchants trading to *France*, and the Dominions of the same; and to all other Societies of Merchants trading or merchandizing into foreign Parts beyond the Seas, by what Name or Names soever the said distinct Societies are known or reputed; that they, or any of them, admit, license, or permit any such like Person or Persons to merchandize or traffick, or have Commerce as Merchants to foreign Parts, unless such Persons first become Freemen of the said City, and bring a Testimonial from the Chamberlain or under Chamberlain of the said City for the Time being, that they are admitted into the Liberty of the said City.

And further, for us, our Heirs, and Successors, we will and command, that no Merchant, being, or who hereafter shall be, a Freeman of the said City, shall take henceforth any Apprentice to serve him in such like Merchandize within the City aforesaid, Liberties or Suburbs of the same, or within ten Miles of the same City, for less than seven Years, to be bound and enrolled according to the Custom of the said City, and not otherwise. And whereas by a certain Act of Parliament, made in the Third Year of the Reign of our most dear Father Lord *James*, late King of *England*, it is enacted, that every Citizen and Freeman of the City of *London*, and every other Person or Persons inhabiting, or which shall inhabit in the said City, or the Liberties of the same, being a Tradesman, Victualler,

or Labourer, who then had, or from henceforth should have any Debt or Debts owing to him or them not amounting to 40 s. by any Citizen or other Person or Persons, being a Victualler, Tradesman, or Labourer, who doth or shall inhabit within the said City, or the Liberties of the same, may cause such like Debtor or Debtors to be warned or summoned by the Beadle or Officer of the Court of *Requests*, in the *Guild-hall*, London, for the Time being, by Writing to be left at the Dwelling-house of such Debtor or Debtors, or by any reasonable Notice or Warning to be given to the said Debtor or Debtors, to appear before the Commissioners of the said Court of *Requests*, holden in the *Guild-hall* of the said City, as by the said Act fully appears. We will, and, for us, our Heirs, and Successors, ordain and constitute, that from Time to Time, and in all future Times there be, and shall be a certain Office of the Clerk of the Court of *Requests* aforesaid; and there be and shall be from Time to Time, and in all future Times, one fit Person, to be named and appointed by the Mayor and Commonalty, and Citizens of the said City, assembled in Common-Council of the same City, or the greater Part of them, to be Clerk of the same Court, to make, write, enter, and register Warrants, Process, Acts, Orders, and Executions of that Court; and for Labour and Attendance to have and receive his Fees and Wages expressed in a Schedule annexed to these Presents: And that there be from Time to Time, and in all future Times shall be, a certain Officer or Beadle of the Court of *Requests* aforesaid, to be named and appointed by the said Mayor and Commonalty, and Citizens of the said City, assembled in Common-Council of the said City, or the greater Part of them, to summon all such Persons to appear in the same Court, to answer to such like Persons as are appointed in the said Act of Parliament; and to serve and execute Warrants, Precepts, and Process of the said Court; and to receive for his Labour in the said Office the Wages and Fees expressed in a certain Schedule hereunto annexed. And whereas Rivers Burglaries, Felonies, Robberies, clandestine

Stealings, and Thefts of Goods, Jewels, Apparel, and Household-stuff, and other Things, are daily committed within our City of *London*, and Liberties of the same, to the grievous Damage of some of our Subjects inhabiting there, or in the Parts adjoining; We, for the better Discovery of such like Offenders, and of Things so lost, will, and for us, our Heirs, and Successors, by these Presents, do ordain, grant, and constitute, that from henceforth for ever, within the said City of *London*, and the Liberties of the same, there be and shall be a certain Office of Register of all, and for Sales and Pawns made or to be made to retailing Brokers within the said City, and Liberties of the same; and for any Goods, Jewels, Apparel, Household-stuff, and other Things so to be sold or pawned by any Persons: And, for us, our Heirs, and Successors, we do give and grant by these Presents the same Office to the said Mayor and Commonalty, and Citizens of the said City, and their Successors, to have and exercise the said Office by them, or their Officer, Deputy, or Minister, or Officers, Deputies, or Ministers, first to be allowed and admitted thereto by the Mayor and Commonalty, and Citizens of the said City, assembled in the Common-Council of the same City for the Time being, or the greater Part of them. And that it shall and may be lawful for the said Mayor, and Citizens of the said City, and their Successors, and their Deputy or Deputies, Officer or Officers, to demand, take, or have and retain in their Power, to the use of them the Mayor and Commonalty, and Citizens of the said City, the Wages and Fees expressed in a certain Schedule annexed to these Presents, without any Account, or any Thing else to be rendered or made to us, our Heirs, or Successors. And further, we do give and grant to the said Mayor and Commonalty, and Citizens of the said City, and their Successors, that it may and shall be lawful to the Citizens of the same City, and any of them, for the Time being, to expose and hang in and over the Streets and Ways, and Alleys of the said City, and Suburbs of the same, Signs and Posts of Signs affixed to their Houses and Shops, for the better finding



finding ought such Citizens Dwellings, Shops, Arts, or Occupations, without Impediment, Molestation, or Interruption, of us, our Heirs, or Successors. And whereas Lord *Henry* the Eighth, late King of *England*, &c. by his Letters Patents, bearing Date at *Westminster* the 13th Day of *January*, in the 28th Year of his Reign, (1) amongst other Things, for him and his Successors, did give and grant to the said Mayor and Commonalty, and Citizens of the said City, and their Successors, the Keeping, Ordering, and Governing of the House and Hospital of him, the late King, called *Bethlem*, situate without and near *Bishoppsgate* of the said City of *London*; and all Manors, Lands, Tenements, Possessions, Revenues, and Hereditaments whatsoever, and wheresoever lying and being, belonging and appertaining unto the said Hospital or House called *Bethlem*; and made and constituted by the same his Letters Patents, these, the Mayor and Commonalty, and Citizens of the City of *London*, and their Successors, Masters, Keepers, and Governors of the said House and Hospital called *Bethlem*; and of the said Manors, Lands, Tenements, and other Premises belonging to the same House or Hospital; to have, hold, and enjoy the said Custody, Order, and Government of the said House or Hospital called *Bethlem* to the said Mayor and Commonalty, and Citizens of the said City, and their Successors for ever, to the Uses and Intents which are in and upon the Foundation ordered and provided by the said late King, his Heirs, and Successors. And that the said Mayor and Commonalty, and Citizens of the said City of *London*, and their Successors, might be better able to support the Burden and Expences of the Poor, in Sustaining the House called the House of the Poor in *West-smithfield*, and other Burdens assigned and appointed to the same Mayor and Commonalty, and Citizens of the said City, in the said Letters Patents; as by the same his Letters Patents amongst other Things more fully appears.

(1) *Ralph Warren*, Mayor; *Robert* or *Richard Paget*, *William Bowyer*. Sheriffs; anno 1537.

KNOW

KNOW ye that we, from our Soul affecting, and intimately desiring to support and establish the said Works for us, our Heirs, and Successors, do grant and confirm to the said Mayor and Commonalty, and Citizens of the said City, and their Successors, the said Custody, Ordering, and Government of the said House and Hospital called *Bethlem*; and all Manors, Lands, Tenements, Possessions, and Reversions whatsoever and wheresoever lying and being, belonging and appertaining to the same House and Hospital called *Bethlem*. And do make, ordain, and constitute by these Presents, those the Mayor and Commonalty, and Citizens of the said City, and their Successors, Masters, Keepers, and Governors of the said House and Hospital called *Bethlem*, and of the said Manor, Lands, Tenements and other the Premises belonging to the same House and Hospital called *Bethlem*. To have, hold, and enjoy the said Custody, ordering and Government of the said House and Hospital called *Bethlem*, and of the said Manors, Lands, Tenements, Possessions, Revenues and Hereditaments belonging to the same House and Hospital called *Bethlem*, to the said Mayor and Commonalty, and Citizens of the said City and their Successors for ever: to the same Uses Intents and Purposes, as in the said Letters Patents of Lord Henry, the Eighth are before mentioned, ordained, and appointed: Willing moreover, and for us, our Heirs, and Successors, we do declare and ordain, that the said House or Hospital of *Bethlem*, or the Manors, Lands, Tenements, Possessions, Revenues, and Hereditaments belonging and appertaining to the same House or any Part thereof, be not delivered converted or disposed to any other Use than to the charitable Works now used and applied in the same Hospital.

AND further for us, our Heirs and Successors, we will, and by these Presents do declare our good Pleasure, and do charge and command the same Mayor and Commonalty and Citizens of the said City, and their Successors, that they do not deliver or grant the said Manors, Lands, Tenements, Possessions, Revenues belonging to the same House or Hospital or

any Part of them, for any Term or Terms of Years, exceeding the Number of one and twenty Years; to commence from the Time of the making of such like Grant or Lease in Possession, and not in Reversion, reserving half of the yearly Value at the least of such Manors, Lands, Tenements, and Hereditaments so leased, and granted yearly to be paid during the said Term, to the said Mayor and Commonalty and their Successors, to the Uses, Intents and Purposes, above mentioned. And moreover for us, our Heirs and Successors, we grant and give special Licence to the said Mayor and Commonalty and Citizens of *London* and their Successors, that it shall and may be lawful to the said Mayor and Commonalty and Citizens of *London* and their Successors, to purchase and receive and hold to them and their Successors, of any Person or Persons whatsoever, five Acres of Land situate lying and being in the Parish of *St. Giles's* in the Fields, in the County of *Middlesex*, now or late in the Tenure or Occupation of *Margaret Pennell* or her Assigns; although the same five Acres or any Part of them be held of us in *Capite* by Knights Service, to have to the same Mayor and Commonalty and Citizens of the same City and their Successors for ever. And also we give Licence and Power by these Presents, to all and singular Persons whatsoever, that they or any of them, may be able to give and grant the said five Acres of Land and every Parcel thereof, with its Appurtenances to the said Mayor and Commonalty and Citizens and their Successors, although the same five Acres of Land or any Parcel thereof be held of us in *Capite* by Knights Service; the Statute of putting of Lands and Tenements in Mortmain notwithstanding, or any other Statute, Act, Ordinance, Orders, Restitution made, published, ordained, or provided to the contrary notwithstanding: And this without any Inquisition, by Pretence of any Writ or Mandate to be made, presented, or taken, and to be returned into the Chancery of us, our Heirs and Successors, or elsewhere: Willing that the said Mayor and Commonalty and Citizens of the said City and their Successors,



fors, by Reason or Occasion of the Premises shall not be oppressed, molested, disquieted or grieved in any Thing by us, our Heirs or Successors, or by the Justices, Sheriffs, Escheators or other Bailiffs, Officers or Ministers of us, our Heirs or Successors; the Statute of not putting Lands into Mortmain or any other Statute, Act or Provision to the contrary, in any wise notwithstanding. We nevertheless declare it to be our royal Pleasure, by these Presents, for us, our Heirs and Successors, that the said Mayor and Commonalty and Citizens, or their Successors, or any other Person or Persons by the Assent and Consent of the same Mayor and Commonalty and Citizens shall build and erect without the royal Licence of us, our Heirs, or Successors, in that Behalf first had and obtained any Houses, Edifices or Structures upon the Premises, or any Parcel thereof. And as we or our Predecessors by distinct Letters Patents made to the said Mayor, and Commonalty and Citizens of the said City of *London*, and their Predecessors, have given and granted (as in the said Letters Patents mentioned to be given and granted) to them License and Power of purchasing, having and receiving to them and their Successors, divers Messuages, Lands, Tenements, and Hereditaments, to divers distinct yearly Values, or Sums expressed in the same Letters Patents more fully appears, the Statute of not putting Lands in *Mortmain* notwithstanding. We will now and declare and do to the said Mayor, Commonalty and Citizens of the said City, grant for us, our Heirs and Successors by these Presents, that these our Letters Patents, or any Grant Thing or Matter contained in the same, shall not be reputed or judged to be Part or Parcel of such yearly Value or Sum, to which, as aforesaid, they have been made capable and able to purchase: And further, we will, and by these Presents for us, our Heirs and Successors, do grant unto the said Mayor and Commonalty and Citizens of the City of *London*, and their Successors, that these our Letters Patents, and the enrollment of the same, shall be in and through all Things firm, valid, good, sufficient and effectual

In Law towards and against us, our Heirs and Successors, as well in all our Courts as elsewhere within our Kingdom of *England*, without any Confirmations, Licences, or Tolerations, to be procured or obtained of Us, our Heirs or Successors, by the said Mayor and Commonalty, and Citizens of the City of *London*, and their Successors: Notwithstanding that any Writ or Writs, *ad quod Damnum*, hath not Issued or is not returned before the making of these our Letters Patents; and notwithstanding the misnaming or not rightly and certainly naming, or ill reciting or not reciting the said Messuages, Lands, Tenements, Offices, Liberties, Authorities, Priviledges, immunities, Quitances, Jurisdictions and all and singular other the Premises above truly granted and confirmed, or mentioned to be granted or confirmed or any Part or Parcel of them; and notwithstanding the not finding, or ill, or not right or certain finding of Office or Offices, Inquisition or Inquisitions, of the Premises above hereby granted or confirmed, or mentioned to be granted or confirmed, or any Part or Parcel of it, by which our Title in and to the said Premises ought to be found, before the making of these our Letters Patents; and notwithstanding any Defect in not reciting or ill reciting of any Lease or Leases, Grant or Grants heretofore made for Term of Life or Lives or Years or otherwise, of the Premises or of any Part or Parcel of them being upon Record or not upon Record or otherwise howsoever; And notwithstanding the ill naming or not Right or certain naming any Village or Hamlet, Parish, Ward, Place, Precinct or Country, in which the Premises or any Part of them is or are; and notwithstanding any Defect in not mentioning, or not fully, rightly, or certainly mentioning the Name or Names of all or any Tenements, Forms, Possessions, or Occupations aforesaid, and all and singular other the Premises or any Parcel thereof, or of the annual Rent reserved in and upon the Premises or any Part thereof; and notwithstanding any Defect, Uncertainty, or Computation, or Declaration, or Omission of the true Value of the Premises or any Part of them in these

these present Letters Patents expressed; and notwithstanding any Defect in not mentioning our true Right, State or Title, of or to the same Premises, or any Part or Parcel of them; and notwithstanding the Statute of Lord *Henry* the Sixth late King of *England*, our Ancestors made and published in the ——— Year of his Reign; and notwithstanding the Statute of Lord *Henry* the Fourth late King of *England*, our Ancestors made and published in the first Year of his Reign; and notwithstanding the Statute aforesaid, of not putting Lands and Tenements in *Mortmain*; and notwithstanding the Statute made in the Parliament of *Edward* the First, in the third Year of his Reign, and the Statute made in the Parliament of *Edward* the Third in the twenty-eighth Year of his Reign concerning choosing of the Coroners; and notwithstanding any other Statute or Statutes of this our Kingdom of *England* or any other Defects whatsoever; and notwithstanding the not mentioning the Natures, Kinds, Species, Quantities of the Premises or any of them or any Part or Parcel of them We will also and by these Presents, grant to the said Mayor and Commonalty, and Citizens of the said City of *London*, that they shall and may have these our Letters Patents made and sealed under the great Seal of *England*, without rendering, paying or making Fine or Fee, great or little to us in our Hamper or otherwise to our Use any Way, for that Expression is not made of the true yearly Value or of the Certainty of the Premises or any of them or of other Gifts and Grants heretofore made by us or by any of our Progenitors or Ancestors to the said Mayor and Commonalty, and Citizens, of the City of *London*, or any other Statute, Act, Ordinance, Proclamation, Provision or Restriction made, published, ordained, or provided to the contrary, or any other Cause or Matter whatsoever in any Thing notwithstanding, *In Witness* whereof, we have made these our Letters Patents; witness my self at *Westminster* the 18th Day of *October*, in the 14th Year of our Reign. (1)

(1) Sir *John Robinson* Mayor, Sir *Thomas Bloodworth*, Sir *William Turner* Sheriffs, Anno 1662.



*A Schedule of the Fees taken by the common Outroper.*

	s.	d.
FOR selling all Goods, in every Shilling --	0	0 $\frac{1}{4}$
For writing and keeping the Books in every Pound ———	0	1
To the Cryer for crying the Goods. ———	1	0

*A Schedule of the Fees taken by the Register for Brokers.*

FOR the Bond to be entered into by every Broker, Brogger and Huckster to the Chamber ———	0	8
For every Bargain, Contract, Pawn, for or upon which there shall be lent or given 1 s. or above, and under 5 s. ———	0	0 $\frac{1}{4}$
For every the like, for which shall be lent 5 s. or more, and under 20 s. ———	0	0 $\frac{3}{4}$
For every the like, on which shall be lent 20 s. or more, and under 40 s. ———	0	1
For every the like, on which shall be lent 40 s. or more ———	0	2

*A Schedule of the Clerks Fees of the Court of Conscience in London.*

FOR every Plaint ———	0	2
For every Appearance ———	0	2
For every Order ———	0	4
For every remittance to the common Law ———	0	4
For every Precept or Warrant to commit to Prison ———	0	6
For every Search ———	0	2
For every Satisfaction acknowledged on an Order ———	0	6
For warning every Person within the Liberties ———	0	4
For warning every Person without the Liberties ———	0	6
For serving every Precept or Warrant ———	0	4

WE have also seen a certain other Charter of our said most dear Father *Charles* the First, late King of *England*, of blessed Memory, made in these Words: *Charles* by the Grace of God of *England*, *Scotland*, *France* and *Ireland* King Defender of the Faith, &c. To all to whom these Present Letters shall come Greeting: WHEREAS our well beloved the Mayor, Commonalty, and Citizens of the City of *London*, and their Predecessors within the Port of *London*, within the Liberties and Franchises of our City of *London*, and Suburbs thereof, have had, exercised, and enjoyed, or claimed to have, exercise, and enjoy the Office of Package of all Cloths, Wools, Woolfells, Calve-skins, Goat-skins, Bales of Tin, and all other Merchandizes whatsoever, to be packed, casked, piped, Barrelled, or otherwise vefelled, out of the said Port, or to be transported to any the Parts beyond the Seas, of the Goods and Merchandizes, as well of Aliens and Persons born under any foreign Allegiance, in any Parts beyond the Seas, wheresoever they should be customed; and also the Office as well for Surveying or Scavage of all Goods or Wares of any Merchant either Alien or Denizen, whose Father was or should be an Alien born, without our Allegiance, and from the Parts beyond the Seas, to be brought to the said Port by Way of Merchandize, as also for the Surveying, Delivering, or Ballage of all Goods and Wares of any such Merchants aforesaid, to be exported from the said Port, into the Parts beyond the Seas or otherwise, on the Account of Merchandizes upon and through the River *Thames*, within the said Port in any Ship, Boat, Barge or Vessel whatsoever, floating, laden, remaining or being off of any Shore of the said River of *Thames*, and upon any Wharfe or Shore of the same River, which should happen there to remain, and be delivered or unladed, as well by Water as by Land within the Port aforesaid, within the Franchises and Liberties of the said City and Suburbs thereof; all which they have enjoyed Time out of Mind and by Vertue of several Charters or Letters Patents of *Edward* the Fourth, late King of *England*, in the first and eighteenth Years of his

Reign

Reign, to them granted, and also by Virtue of a certain other Charter or Letters Patents of *Henry the Eighth*, late King of *England*, to the said Mayor and Commonalty and Citizens aforesaid, granted in the third Year of his Reign, by whatsoever Name or Names the same are called in the said Letters Patents by Authority of Parliament confirmed, or by Colours of the same Letters Patents, or any of them, or by the Prescription aforesaid, with divers Fees and Rewards to the said Offices belonging and appertaining. AND WHEREAS divers Questions and Differences have of late arisen about and concerning the Offices aforesaid, and the Execution thereof within the Port aforesaid, within the T<sup>own</sup> Liberties and Franchises of the City aforesaid, and Suburbs thereof, whereby the said Mayor and Commonalty and Citizens of the City of *London* aforesaid, have been hindred and disturbed in the Offices aforesaid, and in the Exercise of them. KNOW YE, that We for the moving and utter taking away all Doubts and Questions, about the said Offices, and likewise for the Corroborating, amplyfying, encreasing, declaiming and establishing the Liberties and Privileges of the said City, of our special Grace, certain Knowledge, and meer Motion, and also for and in Consideration of four thousand and two hundred Pounds of lawful Money of *England*, to the Hands of our ancient and faithful Servant *George Kirge*, Gentleman of our Robes and one of the Grooms of our Bedchamber, by a Warrant under our privy Seal, heretofore paid or assigned to be paid, whereof we do acknowledge our self to be fully satisfied and paid, and them the said Mayor and Commonalty and Citizens of the City of *London* aforesaid and their Successors, to be thereof acquitted and discharged for ever by these Presents, and for divers good Causes and Considerations us hereunto especially moving, have for us our Heirs and Successors, created, ordained, and constituted, and by these Presents do create, ordain and constitute, that from henceforth, for ever hereafter, there shall be within the said Port of *London* and the Limits and Bounds thereof within the Liberties and Franchises of the



said City and Suburbs thereof, and Office and Offices,  
 Employment and Employments of Package of all woollen  
 Cloths, Wool, Felts, Calve-skins, Goat-Skins, Bales  
 of Tin, and of all other Merchandizes whatsoever,  
 to be packed, casked, piped, barrellled, or any Ways  
 vesselled with a Survey of the Measure, Number and  
 Weight of the said Merchandizes, and also the Sur-  
 vey of all customable Merchandizes, to the said Port  
 within the Liberties and Franchises of the said City  
 and Suburbs thereof coming, and out of the said  
 Port going as well by Land as by Water, within the  
 Liberties and Franchises of the City aforesaid and  
 Suburbs thereof, as well of the Goods of any Denizen,  
 whose Father is or shall be an Alien, as of the Goods  
 of Aliens wheresoever the same shall be customed,  
 as also an Office or Employment of Carriage and Port-  
 age, of all Wools, Wool-felts, Bales of Tin, and of  
 all other Merchandizes whatsoever, as well of any  
 Denizen, whose Father is or shall be an Alien, born  
 without the Allegiance of us, our Heirs, or Successors,  
 and under any foreign Allegiance in any the Ports  
 beyond the Seas, which shall be carried into *London*,  
 from the River of *Thames* to the House or Warehouse  
 of such Alien, and from thence to the said River to-  
 gether with the Fees, Sums of Money, Profits and  
 Emoluments of the said Office or Employments and  
 other the Premises in two Tables or Schedules here-  
 unto annexed, mentioned and respectively limited  
 and appointed. All and singular which Fees Sums of  
 Money, Profits and Emoluments in the said Tables  
 or Schedules, expressed as due and lawful Fees, to the  
 said several Offices of Package or Portage annexed  
 and belonging, and in the Execution of the same Offi-  
 ces, and either of them respectively, to be had and  
 taken, and we do for us, our Heirs, and Successors,  
 rectifie, establish and confirm by these Presents, and  
 the same Fees, Sums of Money, Profits and Emolu-  
 ments in the said Table or Schedules beforementio-  
 ned: We do for Us, our Heirs and Successors, grant  
 unto the said Mayor, Commonalty and Citizens of the  
 City aforesaid, and their Successors for ever by these  
 Presents.

Presents. And furthermore, of our special Grace, certain Knowledge, and meer Motion, for the Consideration aforesaid, we do, for us, our Heirs, and Successors, give and grant to the said Mayor, Commonalty, and Citizens of the City aforesaid, and their Successors, the said Office or Employment of Package of all and all manner of Woollen Cloths, Wool Fells, Calveskins, Goat-Skins, Bales of Tin, and all other Merchandizes whatsoever to be packed, casked, piped, barrellled, or any ways vasselled; with the Survey of the Measure, Number and Weight of the said Merchandizes, together with the Fees, Sums of Money, Profits, and Emoluments aforesaid; and also the Office or Employment of Carriage and Portage of all Wools, Wool-Fells, Bales of Tin, and all other Merchandizes whatsoever; as well of any Denizens whose Father is or shall be an Alien born, without the Allegiance of us, our Predecessors, Heirs, or Successors, as of any Alien born without the Allegiance of us, our Predecessors, Heirs, or Successors; and under any foreign Allegiance in Parts beyond the Seas, which shall be carried into *London* from the River of *Thames* to the House of such Alien, and from thence to the said River; together with the Fees, Sums of Money, Profits, and Emoluments aforesaid; to hold and exercise the Offices and Employments aforesaid, and either of them, with their Appurtenances, and the Dispositions, Orderings, Surveyings, and Corrections thereof, and of either of them; together with all Fees, Sums of Money, Profits, and Emoluments whatsoever to the said Offices or Emoluments, or either of them, in the said Tables or Schedules to these Presents annexed, mentioned, and respectively appointed to the said Mayor and Commonalty, and Citizens of the said City, and their Successors for ever. And also to exercise and occupy the said Offices and Employments, and every and either of them, by themselves or by their sufficient Minister or Ministers, Deputy or Deputies, without any Account or other Things to be therefore rendered or made to us, our Heirs, or Successors (besides the *Revs* hereafter in these Presents mentioned to be re-

served and paid to us, our Heirs, and Successors) and without incurring any Penalty or Forfeiture of the Offices aforesaid, or either of them, or of any Parcel thereof, although they or their Deputies, Officers, or Servants, do not pack the said Goods or Merchandizes when they are ready, and upon reasonable Request and Notice thereof given for the Performing the said Services; and that no other Porter or Carrier, or any other Person or Persons whatsoever, shall presume to intermit or intrude him or themselves to carry or lade any of the said Goods or Merchandizes from any Wharf or Shore within the Limits aforesaid, into any Ship or Vessel; or to unlade any Goods or Merchandizes from any Vessel upon any Wharf, Shore, or Lane, within the Limits aforesaid; without the special Appointment or Licence of the said Mayor and Commonalty, and Citizens of the City aforesaid, or of their Officers or Deputies for that Purpose, first had and obtained. And that the Porter or Carrier appointed, and from Time to Time to be appointed, by the said Mayor and Commonalty, and Citizens, and their Successors, or by their Sufficient Officers or Deputies for the Time being, shall have, take, or receive of and from the said Merchants, as well Aliens, born without the Allegiance of us, our Predecessors, Heirs, and Successors, and under any foreign Allegiance, in Parts beyond the Seas; as of the said Denizens, born or to be born within the Power or Allegiance of us, our Predecessors, Heirs, or Successors, whose Father is or shall be an Alien, born without the Allegiance of us, our Predecessors, Heirs, and Successors, for Carriage or Portage of the said Goods and Merchandizes, such Sums of Money for their Labour aforesaid as in a certain Schedule to these Presents annexed are mentioned and appointed, without any Account or other Thing to be therefore rendered or made to us, our Heirs, or Successors (besides the Rents hereafter in these Presents mentioned to be paid to us, our Heirs, and Successors). And further, of our more abundant Grace, certain Knowledge, and meer Motion, and for the Consideration aforesaid, We do, for us, our Heirs, and Successors,



cessors, give and grant to the said Mayor and Commonalty, and Citizens of the City aforesaid, and their Successors, the Office and Employment of the Scavage and Surveying; and also the Scavage of all the Goods and Wares customable whatsoever of any Merchant, as well Aliens as Denizens, whose Father is or shall be an Alien, born or to be born without the Allegiance of us, our Predecessors, Heirs, and Successors, and to be brought from any Part beyond the Seas, within the Liberties and Franchises of the said City and Suburbs thereof, on Account of Merchandizing; and also the Surveying, Delivering, or Balliage of all the Goods and Wares of any of the said Merchants, within the Liberties and Franchises of the said City, which shall be carried out into Parts beyond the Seas, by way of Merchandize, through and upon the River of *Thames*, within the Limits aforesaid, in any Ship, Boat, Barge, or Vessel whatsoever, floating, laden, remaining, or being off of any Shore of the said River of *Thames*, and which upon any Bank, Wharf, or Shore of the said River, shall happen to remain and be delivered or unladen within the Liberties and Franchises of the said City and Suburbs thereof, together with the Fees, Sums of Money, Profits, and Emoluments in a certain Table or Schedule to these Presents annexed, mentioned, and respectively limited and appointed, according to the Form of the Statute made and published in the 22d Year of *Henry the Eighth*, late King of *England*. All and singular which said Fees, Sums of Money, Profits, and Emoluments, in the said Table or Schedule last mentioned and expressed, as due and lawful Fees to the said several Offices of Scavage and Balliage aforesaid annexed and belonging, and in the Execution of the said Offices, and either of them respectively, hereafter to be had and taken; We do, for us, our Heirs, and Successors, ratify, establish, and confirm by these Presents: And the same Fees, Sums of Money, Profits, and Emoluments in the last mentioned Schedule We do, for us, our Heirs, and Successors, grant to the said Mayor and Commonalty, and  
Citizens

Citizens of the City aforesaid, and their Successors for ever, by these Presents. To have and exercise the said Offices and Employments last mentioned, and either of them, with the Appurtenances, and the Disputings, Orderings, Supervisings, and Corrections of the same, or either of them; together with the Fees, Sums of Money, Profits, and Emoluments to the said Offices or Employments, and either of them, in the said Table or Schedule to these Presents annexed, mentioned, and respectively appointed, unto the said Mayor and Commonalty, and Citizens of the said City, and their Successors for ever: And also to exercise and occupy the said Offices or Employments by themselves, or by their sufficient Minister or Ministers, Deputy or Deputies, without any Account or other Matter to be rendered or made to us, our Heirs, or Successors, for the same (besides the Rents hereafter in these Presents mentioned to be reserved and paid to us, our Heirs, and Successors) and without incurring any Penalty of the said Offices or Employments, or either of them, or any Parcel thereof; although they or their Deputies, Officers or Servants, shall not survey or deliver the Goods and Merchandizes aforesaid, when they shall be ready upon Request, or Notice thereof given, for the Performing the said Works or Services. Willing, and by these Presents, for us, our Heirs, and Successors, enjoining and commanding all and singular such Aliens and Denizens aforesaid, that they from Time to Time do make and deliver, or cause to be made and delivered, unto the said Mayor and Commonalty, and Citizens, and their Successors, or their Servants, Deputies, or Collectors of the Scavage aforesaid for the Time being, true and perfect Bills of Entry of all and every their Goods, Merchandizes, and Wares, which shall be from Time to Time brought within the Liberties and Franchises of the said City and Suburbs thereof, under pain of our Royal Indignation, and being further punished for their Contempt of our Command in this behalf. Yielding therefore yearly to us, our Heirs, and Successors, into the Receipt of our  
Exchequer

Exchequer at *Westminster*, Three Pounds, Six Shillings and Eight Pence, of lawful Money of *England*, at the Feast of *St. Michael* the Archangel, and the Annunciation of the Blessed Virgin *Mary*, by equal Portions every Year to be paid. And whereas we are informed, that, with intent to defraud and deceive the said Mayor and Commonalty, and Citizens of the City aforesaid, of the Fees and Profits to the said several Offices belonging and appertaining, several Goods and Merchandizes have been fraudulently laden and unladen by divers Persons at certain Wharfs or Places, commonly called *St. Katherine's*, *Tower-Wharf*, *Southwark*, *Bick-Shore*, *Wapping*, *Redrith*, *Deptford*, *Greenwich*, and *Blackwall*, and other Places between *Blackwall* and *London-Bridge*, on both sides of the River *Thames* aforesaid, supposing the same Places to be without the Port of *London* aforesaid, and the Liberties, Franchises, and Suburbs thereof. We will, and, by these Presents, for us, our Heirs, and Successors, do ordain and declare, that for ever hereafter, all and singular Merchant-strangers, born without our Allegiance, in Parts beyond the Seas, and under foreign Obedience; and also the Sons of such Merchant-strangers who hencetorth shall lade or unlade any Goods or Merchandizes Customable in the Port of the City of *London* aforesaid, or in any of the said Places or Wharfs above-mentioned, shall from Time to Time render and pay, or make and cause to be rendered and paid, unto the said Mayor, Commonalty, and Citizens of the City aforesaid, and their Successors, or their Officers, Deputies, and Servants, such Wages and Fees as are in the said Tables or Schedules mentioned and expressed. And further, because we are given to understand that divers Goods and Merchandizes of Merchants, as well Aliens born without our Allegiance, under foreign Obedience, in Parts beyond the Seas, as also such Denizens, whose Father is or shall be an Alien, and born under foreign Allegiance, in Parts beyond the Seas, which are carried out of the Port of the said City, and brought into the said Port from  
foreign



foreign Parts, and beyond the Seas, are very often subtilly concealed and coloured under the Names of other Persons, to defraud us of our Customs, and other Things to us belonging, for such Goods and Merchandizes, to the Prejudice and Loss of us, our Heirs, and Successors; and also of the said Mayor and Commonalty, and Citizens of the said City, of the Fees and Sums of Money, so as aforesaid respectively limited, appointed, and ordained, by reason of the Exercise of the Offices aforesaid, or any of them; We therefore being willing to look after our Indemnity in this behalf, and also to the Intent that the said Mayor and Commonalty, and Citizens, may the better detect the Frauds, Covins, and Deceits of all Persons, so concealing and withdrawing the said Goods and Merchandizes, and the Fees aforesaid, We do for us, our Heirs, and Successors, give, and, by these Presents, grant to the said Mayor and Commonalty, and Citizens, and their Successors, that the Mayor of the City aforesaid for the Time being, and the sufficient Deputies, Servants, or Officers of the said Mayor, Commonalty, and Citizens of the City aforesaid, in that behalf, from Time to Time duly assigned, shall and may have full Power and Authority to give and administer the Oath upon the Holy Eyangelists, from Time to Time, to all such Persons suspected or to be suspected of the said With-drawings, Concealments, Colourings, Frauds, Covins. And that it shall and may be lawful to the said Mayor, his Minister, and Deputy, or Officer for the Time being, by all lawful ways and means to compel all such Persons suspected, or to be suspected, as shall refuse or deny to take the said Oath, to take the same Oath. Although express mention of the true yearly Value, or of the certainty of the Premises, or any of them, or of any other Gifts or Grants by us, or by any of our Progenitors or Predecessors, to the said Mayor and Commonalty, and Citizens of the City aforesaid, or any of them heretofore made, is not made in these Presents; or any Statute, Act, Ordinance, Provision, Proclamation, or  
Restraint

Restraint to the Contrary, thereof, heretofore had, made, published, ordained, or provided; or any other Thing, Cause, or Matter whatsoever, in any wise notwithstanding. In Witness whereof we have caused these our Letters to be made Patents. Witness our self at *Westminster* the 5th Day of *September*, in the 16th Year of our Reign.



# The SCAVAGE Table of Rates Inwards.

## A

	s.	d.
<b>A</b> LLUM the Weight qt. 112 lb.	0	1
Amotto the C. qt. five Score	0	4
Apples and Pears the little Barrel	0	0 $\frac{1}{4}$
Aquavitæ the Hoghead	0	6
Argil White or Red, the C. Weight qt. 112 lb.	0	1 $\frac{1}{4}$

## B

<b>B</b> abies Heads the Dozen	0	0 $\frac{1}{2}$
Bacon the C. Weight qt. 112 lb.	0	4
Bandstrings the dozen Knots	0	0 $\frac{1}{4}$
Balks { Great the C. qt. six Score	1	8
{ Middle the C. qt. ditto	0	9
{ Small the C. qt. ditto	0	4
Barlings the C. qt. ditto	0	4
Barley the Quarter qt. eight Bushels	0	0 $\frac{1}{4}$
Barilla or Saffora the Barrel qt. C. Weight	0	4
Basket Rods the dozen Bundles	0	4
Bast Ropes the C. Weight qt. 112 lb.	0	0 $\frac{1}{2}$
Battery Basherows or Kettles the C. Weight qt. 112 lb.	0	6
Beef the Barrel	0	1
Bell-metal the C. Weight qt. 112 lb.	0	2
Beans the Quarter	0	0 $\frac{1}{2}$
Blacking, or Lamb-black, the C. Weight qt. 112 lb.	0	3
Bottles of all sorts the Dozen	0	0 $\frac{1}{2}$
Boards { Barrel Boards the Thousand	0	4
{ Clapboards the C. qt. six Score	0	1
{ Pipe Boards the C. qt. six Score	0	1
Borattos, or { Narrow the single Piece not above 15 Yards	0	2
Bombasins { Broad the single Piece not above 15 Yards	0	3
Books unbound the Basket or Maund	0	8

Bowe-



	s.	d.
Row-staves the C. qt. six Score	0	2
Brass Andirons, Lavercocks, Chafing-Dishes, and all other Brass or Latten Wrought the C. qt. five Score	0	3
Brimstone the C. Weight 112 lb.	0	0
Bristles the dozen Pound	0	0
Buckrams } Of Germany the dozen Pieces	0	3
} Of France the dozen Pieces	0	2
Buffins Liles } Narrow the single Piece not and } above fifteen Yards	0	1
Mocadoes } Broad the single Piece not } above fifteen Yards	0	2
Bull-rushes the Load	0	1
Burs for Mill-stones the C. qt. five Score	0	3
Butter the C. Weight qt. 112 lb.	0	1

## C

Cable-ropes for Cordage the C. Weight qt. 112 lb.	0	1
Cabinets } Great the Piece	0	2
} Small the Piece	0	1
Caddas or Cruel Ribbons the dozen Pieces qt. each Piece 36 Yards	0	1
Candle Week the C. Weight qt. 112 lb.	0	1
Candles of Tallow the dozen Pound	0	0
Capers the C. Pound qt. five Score	0	2
Capravens the C. qt. six Score	0	3
Cards } Playing Cards the small Gross qt. 12 } dozen Pair	0	2
} Wool Cards the dozen Pair	0	0
Carpets } Turkey, Persia, East-India, and Venice, } long, the Piece	0	6
} Of the same, or like Sorts, short, the } Piece	0	4
} Carpets of all other sorts the Piece	0	0
Cases } For Looking-Glasses gilt from No. 3 } to No. 10 the Dozen	0	1
} For Looking-Glasses ungilt the Dozen	0	0
Chamlets Mohair, and Turkey Grograms, each 15 Yards	0	1

O

Cheefe

	s.	d.
Cheese the C. Weight qt. 112 lb.	0	1
Cherries the C. Weight qt. 112 l.	0	1 $\frac{1}{2}$
Cloth { French Woolen each 20 Yards	0	8
{ Scarlet the Yard	0	1
Cocheneal { Silvester, or Campecha the lb.	0	0 $\frac{1}{2}$
{ Of all other Sorts the lb.	0	1
Combs of Box or light Wood the Gross qt. 12 Dozen	0	0 $\frac{1}{4}$
Copper Bricks or Plates, Round or Square, the C. Weight	0	4
Copperas the C. Weight qt. 112 lb.	0	1
Corral rough or polish'd the Mast qt. 22 lb.	0	2
Cork the C. Weight qt. 112 lb.	0	1
Cork the dozen Pieces for Shoe-makers	0	0 $\frac{1}{4}$

## D

<b>D</b> Deal Boards of all Sorts the C. qt. six Score	1	0
Dogs of Earth the small Gross qt. 12 Dozen	0	1 $\frac{1}{2}$
Durance of { With Thread, each 15 Yards	0	1 $\frac{1}{2}$
Duretty { With Silk, each 15 Yards	0	2
{ Amber-grease the Ounce	0	1 $\frac{1}{2}$
{ Allosicatrina the Pound	0	0 $\frac{1}{2}$
{ Barley Hull'd the C. qt. 112 lb.	0	1
{ Carway and Comin-seed the C. wt.	0	1 $\frac{1}{2}$
{ China Roots the C. wt. qt. five Score	1	6
{ Civer the Ounce	0	1
Drugs { Gum Armoniac the C.	0	6
{ Musk the Ounce	0	1
{ Musk Cods the Dozen	0	1
{ Saunders White or Red the C. qt. five Score	0	6
{ Treacle common the C. qt. five Score	0	2
{ Turpentine common the C. Weight qt. 112 lb.	0	1

## F

<b>F</b> Earthers for Beds the C. Weight qt. 112 lb.	0	2
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Fith

	s.	d.
Fish { Cod-fish the C. qt. six Score	0	4
{ Cole-fish the C. qt. six Score	0	1
{ Eeles the Barrel	0	1
{ Eeles Quick the Ship Lading	10	0
{ Herrings White or Red the Last	0	6
{ Lings the C. qt. six Score	0	6
{ Lub-fish the C. qt. ditto	0	2
{ Croplings the C. ditto	0	1
{ Tirlings the C. ditto	0	0 $\frac{1}{2}$
{ Sturgeon the Firkin	0	1
{ Sturgeon the Keg	0	0 $\frac{1}{2}$
{ Salmon the Barrel	0	1 $\frac{1}{2}$

Flax the C. Weight qt. 112 lb.	0	2
Flax undrest the C. Weight qt. 112 lb.	0	1 $\frac{1}{2}$
Flax drest or wrought the C. Weight qt. 112 lb.	0	4
Frankinsence the C. qt. 112 lb.	0	1 $\frac{1}{2}$

Fustians { Barmillions the Piece, or two half Pieces, qt. 15 Yards each half Piece	0	2
{ <i>Naple</i> Fustians, Tripe, or Velvet, the Piece, qt. 15 Yards	0	2
Furrs { Bever-Skins the Piece	0	0 $\frac{1}{2}$
{ Bever-Bellies or Wombs the Dozen	0	4
{ Budge tawed or untawed the C. Wt. qt. five Score	0	2
{ Fox-Skins the C. qt. five Score	0	4
{ Fones without Tails the Dozen	0	1 $\frac{1}{2}$

## G

G Alley-Dishes each 12 Dozen	0	1
G Gauls the C. Weight qt. 112 lb.	0	2
G Glais for Windows the Chest or Case	0	3
G Glass, called <i>Venice</i> Drinking-Glasses the Doz.	0	0 $\frac{1}{2}$
	0	2
		Glasses



		s.	d.
	Half-penny Ware the Gros qt. 12 Dozen	0	0
	Penny Ware the Gros qt. 12 Doz.	0	0
	Of Steel small Dozen	0	0
	Of Steel large Dozen	0	1
Glasses	Of Christial small Dozen under		
Looking-	No. 6.	0	1
Glasses	Of Christial middle the Dozen		
	No. 6.	0	2
	Of Christial the Dozen No. 7, 8, 9, 10	0	4
	Of Christial the Dozen No. 11, 12	1	6
	Glass-Stone Plates for Spectacles rough the Doz.	0	0
	Of Christial small under No. 6, the Dozen	0	0
Glass-Plates,	Of Christial No. 6, the Doz.	0	0
or Sights for	Of Christial No. 7, 8, 9, 10		
Looking-	the Dozen	0	2
Glasses unsoild	Of Christial No. 11, 12, the Dozen	1	0
Gloves of	Spanish Leather the dozen Pair	0	0
Grain for	Of Scarlet Powder the Pound	0	0
Dyers	Of Sevil in Berries and Grain of Portugal or Rotta the Pound	0	0
	Almonds the C. Weight qt. 112 lb.	0	3
	Anniseeds the C. Weight qt. 112 lb.	0	2
	Cloves the C. Weight qt. five Score	1	6
	Currants the C. Weight qt. 112 l.	0	2
	Dates the C. Weight qt. 112 lb.	0	3
	Figgs the C. Weight qt. 112 lb.	0	1
	Fusses of Cloves the C. qt. five Score	0	8
Grocery	Ginger the C. qt. five Score	1	0
	Liquorish the C. Weight qt. 112 l.	0	1
	Mace the C. lb. qt. five Score	2	0
	Nutmegs ditto	1	6
	Pepper the C. qt. ditto	0	6
	Prunes the C. Weight qt. 112 lb.	0	1
	Raisins of the Sun the C. Weight qt. 112 lb.	0	2
			Raisins

		s.	d.		
Grocery	{ Raisins great, or <i>Malaga</i> , the C. Weight qt. 112 lb.	1	0		
	{ Cinnamon the C. Weight qt. five Score	1	0		
	{ Sugar { Refined the C. Weight qt. 112 lb.	0	10		
		{ Candy Brown or White the C. Weight Muscavadoes and White the C. Weight St. <i>Thome</i> & <i>Pennellis</i> the C. Weight	0	8	
				0	4
				0	2
				0	2
	Goats-Hair the C. lb. qt. five Score	0	6		
Gun-Powder the Barrel qt. 112 lb.	0	3			
Gum Arabeek the C. Weight qt. 112 lb.	0	2			

## H

Hats	Hawks of all sorts, the Hawk	0	2
	Beast or Straw Hats the Dozen	0	0 $\frac{1}{4}$
	Beast or Straw Hats plain the Gross		
	qt. 12 Dozen	0	1 $\frac{1}{2}$
	Wool-fells the Dozen	0	1 $\frac{1}{2}$
	Demy-Castors the Piece	0	0 $\frac{1}{2}$
	Beaver Hats the Piece	0	2
	Headlings for Pipes, Hogsheds, or Barrels, the		
	Thousand	0	2
	Leath for Brushes the C. Weight qt. 112 lb.	0	1
Temp	Undrest the ditto	0	1
	Drest ditto	0	2
Hides	Buff-Hides the Piece	0	0 $\frac{1}{2}$
	Cow-Hides or Horse-Hides the Doz.	0	3
	Honey the Barrel	0	1 $\frac{1}{2}$
	Horses and Mares, each Horse or Mare	0	6
	Hops the C. Weight qt. 112 lb.	0	2

## I

Indico the C. lb. qt. five Score		2	0
Indico Dust ditto		0	8
		0	3
			Incle

		s.	d.
Inale	Wrought the dozen pound	0	1 $\frac{1}{2}$
	Roles the dozen pieces of 36 Yards		
	each piece	0	1
	Unwrought the C. lb. qt. five Score	0	4
Iron	Wrought the C. Weight qt. 112 l.	0	1
Iron	Unwrought the Ton	0	6
Iron	pois the Dozen	0	1 $\frac{1}{2}$

## L

L	Attin Vocat	Shaven Lattin the C. Wt.	
		qt. 112 lb.	0 6
		Black Lattin the C. Wt.	
		qt. 112 l.	0 3
Lace	{	Bone-Lace of Thread the Doz. Yards	0 0 $\frac{1}{2}$
		Silk - Bone - Lace the pound qt. 16	
		Ounces	0 2
	{	Silk Lace of all other sorts the pound	
		qt. 16 Ounces	0 1
Lemonds	{	The Thousand	0 10
		Juice of Lemonds the Pipe	0 6 0
		Pickled Lemonds the Pipe	0 3 0
Linseed		the Quarter	0 1
Leaves of Gold		the C. Leaves qt. five Score	0 0 $\frac{1}{2}$
Lewres for Hawks		the Dozen	0 0 $\frac{1}{2}$
Leather	{	Bazel Leather the Dozen Skins	0 0 $\frac{1}{2}$
		Hangings gilt the piece	0 3
		Leather for Masks the dozen lb.	0 2
Lures the Dozen			0 4
Lutestrings	{	Catling the great Gros qt. 12	
		small Gros of Knots	0 1
		Minikins the Gros qt. 12 Doz.	
		of Knots	0 0 $\frac{1}{2}$
Linnens	{	British Cloth the C. Ells qt. five	
		Score	0 2
		Brabant, Emden, Flemish, Freeze,	
	{	Gentish, Holland, Iffingham, Ove-	
		rifely, Rowse, and Cowfield Cloths,	
		or Plats, each 30 ells	0 2
		Callicoes or Dutties the Piece	0 0
		Cambricks	



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Cambricks the whole Piece qt. 13		s.	d.
Ells		o	2
Damask for	Of Holland making		
	the dozen Yards	o	4
Tabling	Of Slecia making the		
	dozen Yards	o	2
Damask for Tow-	Of Holland mak-		
	elling and Nap-		
kenning	ing the dozen		
	Yards	o	1
	Of Slecia mak-		
	ing the dozen		
Yards		o	2
Diaper for	Of Holland making the		
	Dozen Yards	o	1
Tabling	Of Slecia making the		
	dozen Yards	o	$\frac{1}{2}$
Diaper for Tow-	Of Holland mak-		
	elling and Nap-		
kenning	ing the dozen		
	Yards	o	1
	Of Slecia mak-		
	ing the dozen		
Yards		o	$\frac{1}{2}$
French Canvas and Line, Ell and			
half quarter broad, or upwards,			
the C. Ells qt. fix Score		o	3
French or Normandy Canvis and Line,			
Narrow Vandales, or Vittry Can-			
vas, Dutch Barras and Hefens			
Canvas the C. Ells qt. fix Score		o	2
Gutting and Spruce Canvas Dril-			
linges Pack, Duck Hinderlands,			
Middle good Headlock, Mus-			
covy Linnen Narrow, Hamburgh			
Cloth Narrow, and Irish Cloth			
the C. Ells qt. fix Score		o	1
Hamburgh and Slecia Cloth Broad			
the C. Ells qt. fix Score		o	3
Poldays the Bolt		o	1
Lawns the whole Piece qt. 13 Ells		o	2
Callicoe Lawns the Piece		o	$\frac{1}{2}$
French Lawns the Piece		o	$\frac{1}{2}$

Lockrams

		s.	d.
Linnens	Lockrams the Piece of all Sorts qt.		
	106 Ells	o	1 $\frac{1}{2}$
	Southwick the C. Ells qt. six Score	o	1 $\frac{1}{2}$
	Strasbrow Linnen each 30 Ells	o	1
	Striped or Tufted Canvas, with Thread, the Piece qt. 15 Yards	o	1
	Striped, Tufted or Quilted Canvas, with Silk, the Piece qt. 15 Yards	o	1
Littimus the C. Weight qt. 112 lb.		o	1

## M

M	Alt the Quarter	o	o $\frac{1}{2}$
	Magnus the C. Weight qt. 112 lb.	o	1
Masks of Velvet or Satten the Dozen		o	1
Masts	Great the Mast	o	2
	Middle the Mast	o	1
	Small the Mast	o	o $\frac{1}{2}$
Maps Printed the Ream		o	1
Madder	Crop Madder, and all other Bale		
	Madder the C. Weight qt. 112 lb.	o	2
	Fat Madder the C. Weight qt. 112 lb.	o	1 $\frac{1}{2}$
	Mull Madder the C. Weight qt. 112 lb.	o	o $\frac{1}{2}$
Meal the Last qt. 12 Barrels		o	4
Mocado Ends the dozen Pounds		o	1 $\frac{1}{2}$

## O

O	Ars the C. qt. six Score	o	2
	Oars the Quarter	o	o $\frac{1}{2}$
Oyl	Seville, Majorca, Minorca, Province, Portugal and Sallad Oyl, the Ton	2	8
	Rape and Linseed Oyl the Ton	2	6
	Train Oyl of Greenland or Newfoundland the Ton	1	4
Olives the Hogthead		o	4
		Onions	

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s. d.

Onions	{ The C. Bunches	0	1
	{ Seed the C. Weight qt. 112 lb.	0	3
Oranges the 1000		0	1
Orchal the C. Weight qt. 112 lb.		0	1 $\frac{1}{2}$

## P

Pack-thread the C. qt. five Score		0	1 $\frac{1}{2}$
Pans	{ Dripping or Frying Pans the C.		
Vocat	{ Weight qt. 112 lb.	0	1 $\frac{1}{2}$
	{ Warming-pans the Dozen	0	1 $\frac{1}{2}$
Paper	{ Brown the C. Bundles	0	6
	{ Of all other Sorts each Five Score		
	Reams	1	8
Pease the Quarter		0	0 $\frac{1}{2}$
Pitch and Tar the Last		0	3
Plates	{ Single, White or Black, the C. Plates	0	1
	{ Double ditto	0	2
Pomegranates the Thousand		0	2
Pork the Barrel		0	1 $\frac{1}{2}$
Pots	{ Of Earth or Stone cover'd, the C. qt. five Score	0	1
	{ Of Earth or Stone uncover'd, the C. Cast, qt. a Gallon to every Cast, if in one Plot or more	0	2

## Q

Q uales the Dozen		0	0 $\frac{1}{4}$
Quick-silver the C. lb. qt. five Score		0	10
Quinces the C. qt. five Score		0	0 $\frac{1}{2}$

## R

Rape-seed the Quarter		0	1
Rozen the Ton		0	8
Rice the C. Weight q. 112 lb.		0	1
Rye the Quarter		0	0 $\frac{1}{2}$
Rims for Sieves the Gros qt. 112 Doz.		0	0 $\frac{1}{2}$

Saffron



## S

		s.	d.
<b>S</b>	Affron the lb.	0	0 $\frac{1}{2}$
	Saffore the C. lb. qt. five Score	0	4
	Salt the Weigh	0	2
	Salt-petre the C. Weight qt. 112 lb.	0	1 $\frac{1}{2}$
Sayes	{ Double Sayes or <i>Flanders</i> Serges the Piece	0	3
	{ <i>Hownscot</i> Sayes and Middle Sayes the Piece	0	2
	{	0	1 $\frac{1}{2}$
	Shumack the C. Weight qt. 112 lb.	0	1 $\frac{1}{2}$
Silk	{ <i>Bridges</i> Silk, <i>Granadoes</i> , <i>Naples</i> , <i>Organsine</i> , <i>Pole</i> and <i>Spanish</i> Sattin, Silk, Slear Silk, Fine and Throne Silk, the lb. qt. 16 Ounces	0	1
	{ Raw <i>China</i> Silk the lb. qt. 24 Oz.	0	1
	{ Ferret or Floret Silk, Fillozel, Sleave Silk course the lb. qt. 14 Ounces	0	0 $\frac{1}{2}$
	{ Raw long Silk the lb. qt. 14 Ounces	0	0
	{ Raw short Silk, and Raw <i>Morea</i> Silk the lb. qt. 24 Ounces	0	0 $\frac{1}{2}$
	Silk Stockings the Pair	0	0
Silk	{ <i>Boradoes</i> of Silk, <i>Catalopha</i> , <i>China</i> , <i>Damask</i> , Silk, <i>Chamlet</i> , <i>China</i> , <i>Grogram</i> , <i>Phillosellas</i> Narrow, <i>Tabbies</i> of Silk Towers, <i>Taffaty</i> , the Dozen Yards	0	2
	{ Silk <i>Grogram</i> Narrow, Silk Say <i>Calunaucoes</i> and <i>Phillosellas</i> Broad, the dozen Yards	0	3
	{ Silk <i>Grograms</i> Broad, <i>Caff</i> or <i>Damask</i> the dozen Yards	0	4
	{ Sattins		
	{ <i>Bolonia</i> , <i>Lukes</i> , <i>Jean</i> , and other of like making, the dozen Yards	0	6
Silk Wrought	{ <i>Bridges</i> Sattin, <i>China</i> and <i>Turkey</i> Sattin the dozen Yards	0	1 $\frac{1}{2}$
	{ Sarcenets		
	{ Of <i>Bologna</i> or <i>Florence</i> the doz Ells	0	1 $\frac{1}{2}$
	{ Of <i>China</i> the dozen Ells	0	1
			Silk

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	Cypres	s.	d.	
	Of Silk Broad the dozen Yards	0	0	$\frac{1}{2}$
	Of Silk Narrow, each 24 Yards	0	0	$\frac{1}{2}$
	Taffaties			
	Ell Broad each dozen Yards	0	2	
Silk Wrought	China and Levant, each dozen Yards	0	0	$\frac{1}{2}$
	Velvets			
	China Velvet, each dozen Yards	0	1	
	All other Velvets or Plushes each dozen Yards	0	6	
	Cordovant Skins the Dozen	0	2	
Skins	Goat Skins in the Hair the Dozen	0	1	
	Kid Skins of all sorts the C. qt. five Score	0	3	
Smalts	the C. lb. qt. five Score	0	4	
	Bonnispars the C. qt. five Score	0	3	
Spars	Cantspars the C. qt. six Score	0	2	
	Small Spars the C. qt. six Score	0	1	
	Dog-stones the Last	0	6	
Stones	Marbles-stones the Ton	0	8	
	Mill-stones the Piece	0	6	
	Quern-stones the Last	0	2	
Sword-blades	the Dozen	0	1	
	Pipe or Hoghead Staves the Thousand	0	6	
Staves	Barrel Staves ditto	0	3	
	Firkin ditto	0	1	$\frac{1}{2}$
	Long Steel, Wisp Steel, and such like, the C. Weight qt. 112 lb.	0	2	
Steel	Gad Steel the half Barrel	0	4	
Succads	Wet or Dry the C. qt. five Score	0	10	
Syder	the Ton	0	4	

## T

T	Allow the C. Weight qt. 112 lb	0	1	
	With Hair the C. Flemish Ells qt. five Score	0	4	
Tapestry	With Wool ditto	0	6	
	With Caddas ditto	1	0	
	With Silk the dozen Flemish Ells	0	2	
	Tarras			

	s.	d.
Tarras the Barrel	0	0 $\frac{1}{4}$
Tazells the Thousand	0	0 $\frac{1}{4}$
Tykes of all sorts the Tyke	0	1 $\frac{1}{2}$
{ Bridges Thread the dozen lb.	0	1
{ Outnal Thread the dozen lb.	0	1
{ Whited-brown or piecing Thread		
Thread { the dozen lb.	0	1 $\frac{1}{2}$
{ Sisters Thread the lb.	0	0 $\frac{1}{2}$
{ Lions or Paris Thread the Bale qt. C.		
{ Belts	0	8
Tobacco { Spanijb Verins, Brazil Tobacco		
{ the C. qt. five Score	2	0
{ St. Christophers Tobacco, or the like,		
{ the C. qt. five Score	2	0
Tow the C. Weight qt. 112 l.	0	0 $\frac{1}{2}$
Tyles vocat Pan-tyles, or Flanders Tyles the Thousand	0	2

## W

WAX the C. Weight qt. 112 lb.	0	4
Wainscot the C. qt. five Score	0	6
Whale-fine the Dozen	0	1
Wheat the Quarter eight Bushels	0	1
Woad { Island Woad the Ton	1	0
{ Thelose Woad the C. qt. 112 lb.	0	1
{ Box-wood the Thousand pieces	0	2
{ Brazil or Fernando Buck-wood the C.		
{ Weight qt. 112 lb.	0	3
{ Brazeletto or Jamaica Wood the C.		
{ Weight qt. 112 l.	0	1
Wood { Fustick the C. Weight qt. 112 lb.	0	0 $\frac{1}{2}$
{ Red or Guinea Wood the C. Weight		
{ qt. 112 lb.	0	2
{ Sipeet-wood of East-India the C. wt.		
{ qt. 112 lb.	0	1
{ Beaver Wool the lb.	0	1
Wool { Cotton Wool the C. qt. five Score	0	3
{ Irish { Combed the C. qt. ditto	0	4
{ Uncombed the C. qt. 112 lb.	0	2

Estridge



		s.	d.
Wool	{ Estridge Wool the C. Wt. qt. 112 lb.	0	2
	{ Polonia ditto	0	3
	{ French ditto	0	2
	{ Lambs ditto	0	3
	{ Spanish ditto	0	4
	Red ditto the lb.	0	0 $\frac{1}{4}$
	Wier, Vocat Lattin Wier, and all other Wier the C. Weight	0	4
	Wine Eager the Ton	0	6
Wines	{ Gascoyne and French Wines, and all other Wines of the Growth of the French King's Dominion, the Ton	0	2
	{ Rhenish Wine the Awm	0	6
	{ Muscadell, and all other Wines of the Growth of the Levant, the Butt	1	0
	{ Sack, Canary Malaga, Madera, Romney, Bastard, Tent and Allicant		
	{ Wines the Pipe		

## Y

Yarn	{ Cable Yarn the C. Wt. qt. 112 lb.	0	1
	{ Camel Grogram or Mohair Yarn the C. qt. five Score lb.	1	6
	{ Cotton Yarn the C. lb. qt. 5-Score	0	4
	{ Irish Yarn the Pack qt. four C. Wt. at six score lb. to the C.	0	6
	{ Raw Linnen Yarn, Dutch or French the C. lb. qt. five Score	0	4
	{ Spruce or Muscovy Yarn the C. Weight qt. 112 lb.	0	2

*All other Goods not mentioned in this TABLE shall pay for Scavage Duties Inward, after the Rate of one Penny in the Pound, according as they are expressed or valued in his Majesty's late Book of RATES, And all other not expressed therein shall pay the same Rates, according to the true Value.*

# The BALLAGE Duties Outwards.

<b>B</b> EEER the Ton	s. d.
Canvas the C. Ells at fix Score	0 4
Coles the Chaldron	0 2
Drapery	0 1
	0 1
	0 0
	0 0
	0 0
Dying Com- modities	0 0
	0 1
	0 7
Fustians	0 4
	0 1
	0 0
Grocery	0 6
	0 2
	0 0
	0 1
	0 6
Iron	0 1
	0 0
Lamprones the Thousand	0 6
Lead the Fodder	0 0
Saffron the lb.	0 2
Salt the Wey	0 1
Salt-Petre the C. Weight qt. 112 lb.	0 0
Silk Raw or Thrown the lb. qt. 16 oz.	1 6
Skins and Furrs	0 6
	0 2
	0 2
	0 2
	0 2
	0 6
	0 1

	s.	d.
Skins and Furs { Morkins the C. qt. six Score	0	2
{ Otter Skins the C. qt. five Score	0	6
{ Sheep or Lamb the C. qt. 6 Score	0	2
{ Squirrel Skins the Thousand	0	1
Tin or Pewter the C. Weight qt. 112 lb.	0	2
Wax ditto	0	2
Wool of all Sorts ditto	0	2

*Other Merchandize, Liquid and Dry, that are not particularly rated in this Table, shall pay Balliage Duties Outward by their Bulk as followeth:*

A Great Pack, Truss, or Fardel, containing between fifteen or twenty Cloths, or other Goods to that Proportion	1	6
An ordinary Pack, Truss, or Fardel, containing in bigness about 10 or 12 Cloths, or 12 or 14 Bays, or to the like Proportion, in Freezes, Cottons, or other Goods	1	0
A Bale containing three or four Cloths, or four or five Bayes, or the like Proportion in other Goods	0	6
For a great Maund or great Basket	0	8
For a small Maund or Basket, Poize three C. Weight or under	0	8
For a Hamper or Coffer, Poize two C. Weight or under	0	3
For a But or Pipe	0	8
For a Hogthead or Punchcon	0	4
For a Barrel	0	1
For a Firkin	0	2
For a Dry Fat	0	8
For a Drum Fat	0	4
For a Bale	0	6
For a great Chest or great Case	0	8



	s.	d.
For a small Chest or Case, Poize three C. Wt.		
or under	0	4
For a small Box	0	2
For a great Trunk	0	6
For a small Trunk, Poize not above two C.		
Weight	0	3
For a Bag or Sack	0	4
For a Seron	0	3

*The*A  
Arga

Ashe

Awl

B

Beer

Birdin

Books

Bottle

Crimst

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Crocker

Cotton

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# The PACKAGE Table of Rates.

## A

	s.	d.
Arnetto the C. qt. five Score	0	3
Aquavitæ the Hogshead	0	4
Argal White or Red the C. Weight qt. 112 lb.	0	1 $\frac{1}{2}$
Ashes {	Ashes, Pot-Ashes the Barrel, qt. two	
	C. Weight	0 2
Soap Ashes the Last		1 0
Awl Blades for Shoe-makers the Thousand	0	0 $\frac{1}{2}$

## B

Barrilla or Saffora the Barrel, qt. two C.		
Weight	0	4
Beer the Ton	0	6
Birding Shot-lead the C. Weight qt. 112 lb.	0	2
Books the Maund	1	0
Bottles of Glass cover'd with Leather the doz.	0	1
Brimstone the C. Weight qt. 112 lb.	0	1
Brushes the dozen	0	0 $\frac{1}{2}$
Broken Glass the Barrel	0	0 $\frac{1}{4}$
Buttons {	Brass, Steel, Copper, or Lattin Buttons	
	the great Gros, qt. 12 small Gros	
	Hair Buttons the great Gros	0 1
	Silk Buttons ditto	0 0 $\frac{1}{2}$
Thread Buttons ditto		0 0 $\frac{1}{4}$
Blackweed the Quarter	0	1
Blackrams of all sorts the dozen pieces	0	2

## C

Caps for Sailors, Monmouth and others the dozen	0	1
Canary Seed the Bushel	0	0 $\frac{1}{2}$
Casks old the Piece	0	0 $\frac{1}{2}$
Copperas		

	s.	d.
Copperas the C. Weight qt. 112 lb.	0	1
Cochineal { Silvester or Campecha the lb.	0	0
{ Of all other sorts the lb.	0	1
Cobweb Lawns each fifteen Yards	0	0

## D

D	Rugs vocat	{ Assafetida, Gum Armoniack, Gum-lack, Olibanum, and Sassafras Wood, the C. qt. five Score	0	6
		{ Cassia Fistula the C. qt. ditto	0	1
		{ Cassia Lignea the C. lb. ditto	0	8
		{ Cubebs the C. ditto	0	6
		{ Rhubarb the lb.	0	1
		{ Scamony ditto	0	1

## E

E	Elephants Teeth the C. qt. five Score	0	4
	Estridge Feathers the lb. undrest	0	0

## F

F	Fileings of Iron, called Swarf, the Barrel	0	2
	Flasks of Horn the dozen	0	1
	Flax drest the C. Weight qt. 112 lb.	0	4
	Flax undrest ditto	0	2
	Frankinsense ditto	0	1
Fish	{ Herrings full or shotten the Last	0	6
	{ Stock-fish of all sorts the Last	0	6
Fustians	{ English Million the piece, qt. 2 half pieces of 15 Yards the piece	0	1
	{ Venetian English make each 15 Yards	0	1

## G

G	Aules the C. Weight qt. 112 lb.	0	2
	Glew ditto	0	1
	Glovers Clipping the Maund or Basket	0	1
		Grain	



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s. d.

Grains	{	Scarlet Powder, and of <i>Sevil</i> in Ber-		
		ries, and Grain of <i>Portugal</i> or <i>Rotta</i>		
		the C. lb.	2	6
	{	Grain <i>French</i> or <i>Guiney</i> the C. lb.	0	4
Garble	{	Of Cloves the C. qt. five Score	0	4
		Of Almonds the C. Wt. qt. 112 lb.	0	1
		Of Ginger the C. lb. qt. five Score	0	1
		Of Mace ditto	0	9
		Of Pepper ditto	0	3
Gloves	{	Buck Leather the doz. Pair	0	1
		Gloves with Silk Fringe, and faced		
		with Taffaty the doz. Pair	0	1
		Gloves lined with Coney or Lamb-		
		Skins, or plain, the doz. Pair	0	0 $\frac{1}{2}$
		Almonds the C. Wt. qt. 112 lb.	0	2
		Anniseeds ditto	0	2
		Cloves the C. Wt. qt. five Score	1	0
		Currants the C. Wt. qt. 112 lb.	0	3
		Dates ditto	0	4
Grocery vocat	{	Figs ditto	0	0 $\frac{1}{2}$
		Ginger the C. Wt. qt. five Score	0	9
		Liquorish the C. Wt. qt. 112 lb.	0	1 $\frac{1}{2}$
		Mace the C. lb. qt. five Score	1	6
		Nutmegs ditto	1	1
		Prunes the C. Wt. qt. 112 lb.	0	0 $\frac{1}{2}$
		Raisins great and Malaga the C. Wt.		
		qt. 112 lb.	0	1
		Raisins of the Sun ditto	0	2
		Sugar Candy ditto	0	8
		Sugar of St <i>Thome</i> and <i>Panellis</i> ditto	0	3
		Sugar of all sorts ditto	0	6
		Cinnamon the C. lb. qt. five Score	1	0

## H

Hats	{	Hemp the C. Wt. qt. 112 lb.	0	1 $\frac{1}{2}$
		Bever Hats the Piece	0	2
		Demi-Casters ditto	0	1
		Felt Hats plain the dozen	0	1 $\frac{1}{2}$
		Ditto lined and faced the dozen	0	2

Hair

		s.	d.
Hair	Coney Hair the C. qt. five Score	0	4
	Hair of Goats or Kids the C. Weight qt. five Score	0	4
	Ox or Cow Tail Hair the C. Weight qt. 112 lb.	0	0 $\frac{1}{2}$
Horns	Ink Horns the small Gross qt. 12 doz.	0	0 $\frac{1}{2}$
	Horns of Lanthorn the 1000 Leaves	0	2
	Tips of Horns the 1000	0	1
Hops	the C. Weight qt. 112 lb.	0	2

## I

<b>I</b>	Indico of all sorts the C. lb. qt. five Score	1	0
	Indico Dust ditto	0	6
	India Hides the C. ditto	1	6
	Irish Rugs the Piece	0	1
	Iron the Ton unwrought	0	6
	Iron wrought the C. Weight	0	1
	Iron Spurs the dozen Pair	0	1
	Ivory Combs the dozen lb.	0	2

## K

<b>K</b>	Nives	London Knives ordinary the small Gross	0	3
		Sheffield Knives ditto	0	1 $\frac{1}{2}$
		Shoemakers Pareing Knives ditto	0	0 $\frac{1}{2}$

## L

<b>L</b>	Ace	Bone Lace of Thread the doz. yds.	0	0 $\frac{1}{2}$
		Silk Lace the lb. qt. 16 Ounces	0	1 $\frac{1}{2}$
		Lamparnes the Thousand	0	1 $\frac{1}{2}$
		Lead the Fodder	0	8
		Lemons pickled the Pipe	0	3
		Lemon Juice ditto	0	6
		Linseed the Quarter	0	0 $\frac{1}{2}$
Linnen		Callico the Piece	0	0 $\frac{1}{2}$
		Cambricks two half Pieces 13 Ells	0	1 $\frac{1}{2}$
		Damask		

s. d.

Linnen	{	Damask for Tabling of all sorts the dozen Yards	o	2
		Damask for Towelling and Napkenn- ing of all other sorts the dozen Yards	o	1
	{	Diaper of all sorts for Tabling the dozen Yards	o	1
		Diaper for Towelling and Napkenn- ing of all other sorts the dozen Yards	o	2 $\frac{1}{2}$
	{	Lawns the Piece qt. 13 Ells	o	1 $\frac{1}{2}$
		Linnen Cloth, called <i>Brabant</i> , <i>Em- den</i> , <i>Flemish</i> Freeze, <i>Gentish</i> Hol- land, <i>Isingham</i> , <i>Overifilis</i> and <i>Rows</i> Cloth, each 30 Ells	o	2
	{	<i>French</i> or <i>Normandy</i> Canvas the C. Ells qt. six Score	o	3
		Dutch Barras, Hessens and Vittry Canvas, the C. Ells qt. six Score	o	3
	{	Canvas tufted, strip'd or quilted with Copper, Silk, or Thread, or such like, the Piece qt. 15 Yards	o	1
		Linnen Shreds the Maund	o	2

## M

M	Adder, all but Mull Madder, the C. Wt. qt. 112 lb.	o	2
	Mellasses the Hoghead	o	4
	Mustard-Seed the C. Weight qt. 112 lb.	o	2 $\frac{1}{2}$

## N

Nails	{	Chair Nails, Brass or Copper, the 1000	o	o	$\frac{1}{2}$
		Copper Nails, Rose Nails, and Sad- dle Nails, the Sum qt. 10000	o	o	$\frac{1}{2}$

Oker



## O

	s.	d.
O Ker Red or Yellow the C. Wt. qt. 112 lb.	0	1
Onion-Seed ditto	0	4
Orchal ditto	0	1
Ox-Bones the Thousand	0	1
Ox-Guts the Barrel	0	2
Oyl { Seville, Majorca, Minorca, Province, Por-		
tugal, Linseed, or Rape Oyl, the Ton	1	4
Train or Whale Oyl ditto	0	8

## P

Paper Printed, or Copy Paper, the C. Reams		
qt. five Score	1	6
Pewter the C. Weight qt. 112 lb.	0	4

## R

Rape-Seed the Quarter	0	1
Rape Cakes the Thousand	0	0 $\frac{1}{2}$
Red Lead the C. Weight qt. 112 lb.	0	1
Red Earth ditto	0	0 $\frac{1}{2}$
Rice ditto	0	6
Rozin the Ton		

## S

Saffron the lb.	0	1
Salt the Weigh	0	2
Salt-petre the C. Weight qt. 112 lb.	0	2
Seamorse Teeth the C. Weight qt. five Score	0	10
Sea Coals the Chaldron	0	4
Stockings { Childrens Stockings the doz. Pair	0	0 $\frac{1}{2}$
Kersey or Leather Stockings ditto	0	1
Silk Stockings the Pair	0	0 $\frac{1}{2}$
Worsted Stockings the dozen Pair	0	2
Woollen knit Stockings ditto	0	1 $\frac{1}{2}$
Shumack the C. Weight qt. 112 lb.	0	2
		Badger

		s.	d.
Skins and Furs	Badger Skins the C. qt. five Score	0	6
	Bever Skins ditto	2	6
	Car Skins ditto	0	4
	Calf Skins ditto	0	8
	Coney Skins grey, tawed, seasoned or flag the C. qt. six Score	0	2
	Coney Skins black the C. qt. six Score	0	2 $\frac{1}{2}$
	Elk Skins the Piece	0	0 $\frac{1}{2}$
	Fitches the Timber	0	1
	Fox Skins the C. qt. five Score	0	8
	Jennet Skins black, seasoned or raw	0	0 $\frac{1}{4}$
	Kid Skins the C. qt. five Score	0	2
	Lamb Skins tawed or in Oyl the C. qt. six Score	0	6
	Morkins tawed or raw the C. qt. six Score	0	4
	Otter Skins the C. qt. five Score	0	8
	Rabbit Skins ditto	0	1
	Sheep Skins the C. qt. six Score	0	6
	Sheep Pelts the C. qt. five Score	0	3
	Squirrel Skins the Thousand	0	3
Silk of all sorts raw the lb. of 16 Ounces		0	1
Silk Nubs, or Husks of Silk the C. lb. qt 21 Ounces to a Pound		0	4
Silk English Thrown the lb. qt. 16 Ounces		0	1
Silver Vocat Quick-silver the C. qt. five Score		0	8
Slip the Barrel		0	1
Stuffs vocat	Buffins the Piece Broad qt. 14 Yards	0	2
	Ditto Narrow	0	1
	Bridgwaters the Piece	0	2
	Carral ditto	0	1
	Camerians the Piece qt. 25 Yards	0	2
	Camblets or Grograms the Piece, qt. about 14 or 15 Yards	0	2
	Damafellours, or Damafins the Piece	0	2
	Durance ditto	0	1
	Dimitty, each 30 Yards	0	1
	Floramedas the Piece	0	1
Fugaratoes ditto		0	2

Hangings.

		s.	d.
Stuffs	{ Hangings of <i>Bristol</i> , or striped Stuff, the Piece	0	4
	Lindsey-woolsey the Piece	0	1 $\frac{1}{2}$
	Liles the Piece, Broad or Narrow, not above 15 Yards	0	2
	Mocadoes double the Piece qt. 28 yds	0	2
	Ditto single or tufted the Piece qt. 14 Yards	0	1
	Mohair the Piece qt. about 15 Yards	0	1 $\frac{1}{2}$
	Messellawny the Piece qt. about 30 yds.	0	1
	Perpetuanoes the Piece ell broad	0	2 $\frac{1}{2}$
	Paragon or Paropas the piece	0	2
	Piramides or Maramuffe the piece Narrow	1	0
	Ditto Broad	0	2
	Rashes of all sorts the piece, qt. 24 yds.	0	4
	Sayes, Hounscot or Mild, the piece	0	3
	Ditto of all other sorts	0	2 $\frac{1}{2}$
	Serges double the piece yard Broad qt. 24 Yards	0	3
Soap	{ Hard Castle the C. Weight qt. 112 lb.	0	2
	The Barrel	0	3
Spectacles without Cases the Gross qt. 12 doz.		0	0 $\frac{1}{2}$
Succads wet or dry the C. lb. qt. five Score		0	8

## T

Tapestry	T Allow the C. Weight qt. 112 lb.	0	1
	With Hair the C. Flemish Ells qt. five Score	0	4
	With Wool ditto	0	6
	With Caddas ditto	1	0
	With Silk the dozen Flemish Ells	0	2
Taffaty	{ Taffaty ell Broad the dozen Yards	0	2
	Silk Taffaty Broad ditto	0	4
	Ditto Narrow	0	2
Thread White, Brown, or Colour'd, ditto		0	1
Thread Points the great Gross		0	0 $\frac{1}{2}$
Tiffany each dozen Yards		0	1
Tobacco			



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		s.	d.
Tobacco	{ Spanish Tobacco the C. qt. 5 Score	2	0
	{ Of all other sorts ditto	0	6
Tin	{ Tin unwrought the C. Wt. qt. 112 b.	0	3 $\frac{1}{2}$
	{ Ditto wrought	0	4

## V

V Elures	{ English the single piece	0	2
	{ Ditto double	0	2
Vinegar of Wine the Ton		0	2 $\frac{1}{2}$

## W

W AX	{ English Wax the C. Weight qt. 112 lb.	0	4
	{ Ditto hard the C. Weight qt. five Score	0	8
	{ Bays single the piece	0	2
	{ Double ditto	0	4
	{ Minikin Bays the piece	0	6
	{ Broad Cloth the short piece qt. 24 Yards	0	6
	{ Broad Cloth the long piece qt. 32 Yards	0	8
	{ Cotton of all sorts the C. Goads	0	6
	{ Devonshire Dozens the piece	0	1
	{ Fizardoes the piece	0	3
Woollen	{ Kerfies of all sorts the piece	0	2
	{ Lifts of Cloth the 1000 Yards	0	6
	{ Northern Dozens the single piece	0	3
	{ Ditto double piece	0	6
	{ Penny-stones the piece	0	2
	{ Spanish Cloth, English making, each 20 Yards	0	6
	{ Of Kersey or Flannel the Dozen	0	2
	{ Of Woollen Knit ditto	0	4
	{ Of Worsted ditto the piece	0	0
	{ Wrought with Cruel the piece	0	0
Drapery vocat	{ With Silk	0	1
Wastcoats			

Wool

		s.	d.
Wool	Cotton Wool the C. qt. five Score	0	3
	Esridge Wool the C. Wr. qt. 112 lb.	0	2
	French ditto	0	2
	Spanish ditto	0	4
Worm	Seed the C. lb. qt. five Score	0	6
Wood	Box Wood the C. Weight qt. 112 lb.	0	0 <sup>1</sup> / <sub>2</sub>
	Brazil ditto	0	3
	Ebony ditto	0	1 <sup>1</sup> / <sub>2</sub>
	Fustick ditto	0	0 <sup>1</sup> / <sub>2</sub>
	Red ditto	0	1 <sup>1</sup> / <sub>2</sub>
Wines	French Wines of all sorts the Ton	0	8
	Muskadels and Wines of the <i>Levant</i>		
	the But	0	6
	Sack, Canary, Madera, Romneys, and <i>Hulluck</i> , the But or Pipe	0	6
	Cotton Yarn the C. qt. five Score	0	4
	Grogram or Mohair Yarn ditto	1	6
	Raw Linnen Yarn of all sorts the C. Weight qt. five Score	0	4

*All other Goods not mentioned in this TABLE shall pay for Paccage Duties, after the Rate of One Penny in the Pound, according as they are expressed or valued in his Majesty's late Book of RATES; and all other not expressed therein shall pay the same Rate, according to their Value.*

For every Entry in the Packers Book, for Writing Bills, to each Entry Outward, as usually they have done 1 0

*The Strangers shall pay the Labouring Porters for making up their Goods at their own Charge, as always they have done.*

*The Strangers shall pay the Waterside Porter, belonging to the Paccage Office, such Fees and Duties, for Landing and Shipping their Goods, as they have usually paid within these Ten Years last past.*

*The* PACKERS *Water-side-*  
*Porters Table of Duties for*  
*Landing Strangers Goods, and*  
*the like Duties or Rates to be*  
*paid unto them for Shipping out*  
*their Goods.*

## IMPRIMIS,

	s.	d.
FOR a But. of Currants	1	4
For a Carratel of ditto	0	8
For a Quarter Roll of ditto	0	4
For a Bag ditto	0	4
For Pieces of Raisins the Ton	1	8
For a Barrel of Raisins	0	4
For all sorts of Pancheons	0	6
For a Barrel of Figs	0	2
For Tapners and Frails of Figs per Ton	1	8
For Brazil or other Wood for Dying per Ton	1	8
For Iron the Ton	1	2
For Copperas ditto	1	2
For Oyl, Wine, or Vinegar ditto	1	2
For Hemp and Flax the Last	1	8
For loose Flax and Tow the C. Weight	0	2
For a great Bag of Tow	0	8
For a small ditto	0	4
For a great Bag of Hops	0	8
For a Packer or little Bag of Hops	0	4
For Packs, Trusses, Flats, or Maunds per Piece	0	8
For a great Chest	0	8
For a small ditto	0	4
For all Cases, Barrels, or Bales per piece	0	4
For a Bale of Madder	0	8
For a Bale of Ginger, Shumack, qt. 400 wt.	0	8
For a Faggot of Steel	0	1



For any Serrions the piece	3.	2
For a Fat of Por-ashes	0	4
For a Last of Sope Ashes	0	8
For a Last of Pitch or Tar	1	0
For a Last of Fish	1	0
For Waincots the C. qt. six Score	5	0
For Clapbords ditto	0	6
For Deal Boards ditto	1	4
For a great Mast	5	0
For a middle ditto	2	6
For a small ditto	1	3
For great Balks the C. qt. six Score	5	0
For middle ditto	2	6
For small ditto	1	3
For a Mill-Stone	5	0
For a Dog-Stone	2	6
For a Wolf-Stone	2	0
For a Yard-Stone	0	3
For a Grindle Stone	1	0
For a Step-Stone or Grave-Stone	0	8
For Quern Stones the Last	1	0
For Emery-Stones the Ton	1	2
For 10 C. Weight of Holland Cheese	1	0
For Rozin the Ton	1	2
For Woad ditto	1	2
For a Chest of Sugar	0	6
For half Waincots the C. qt. six Score	2	6
For raw Hides the C. qt. five Score	5	0
For Bonnispars the C. qt. six Score	0	6
For small Spars ditto	0	4
For Ends of Bonnispars ditto	0	9
For a Horse, Gelding, or Mare	2	6
For Allom the Ton	1	8
For Heath for Brushes the C. Weight qt. 112 lb.	0	1
For Iron Pots the Dozen	0	3
For Rings of Wier loose, the Ring	0	0 1/2
For Pipe-Staves the 1000	2	6
For Rhenish Wine the Awn	0	6
For Bur Stones the C. qt. five Score	2	6
For half Packs of Tazels the piece	0	4
		For

# City of LONDON.

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	s.	d.	
For Wicker Bottles the dozen	0	0	$\frac{1}{2}$
For Stone the C. qt. five Score	0	1	
For loose Fish the C. Landing	0	3	
For a Barrel of Salmon	0	2	
Ditto of Stub Eels	0	2	
For a Bundle of Basket Rods	0	0	$\frac{1}{2}$
For a Ton of Cork	1	8	
For 1000 Ox Bones	1	0	
Ditto Tips of Horns	0	6	
Ditto of Shank Bones	1	0	
For Brimstone the Ton loose	1	3	
For a Fodder of Lead	1	4	
For Rims for Sieves the Load	1	0	
For a Load of Fans	1	0	
For a Load of Bulrushes	0	8	
For a C. Rheam of Paper loose	1	0	
For a Barrel of Tarras	0	2	
Ditto of Ling	0	2	
For a Keg of Sturgeon	0	0	
For Iron Backs of Chimneys the piece	0	1	
For a C. Weight of Elephants Teeth	0	1	
For Copper and Iron Plates per piece	0	0	
For 100 small Barrels of Blacking	1	0	
For a dozen of Scales	0	1	
For 100 of Oars	2	6	
For every 20 Sugar Flags	0	4	
For a Barrel of Shot	0	4	
For a Bundle of Canes	0	1	
For a Cage of Quails	0	4	
Ditto of Pheasants	0	4	
For a Winch of Cable Yarn	0	4	
For a Firkin of Shot	0	2	

*All other Goods not mentioned in this TABLE shall pay Portage Duties, as other Goods do of like Bulk or Condition herein expressed.*

Now KNOW ye, that we, at the humble Petition of the Mayor and Commonalty, and Citizens of our City of *London* aforesaid, of our special Grace, certain Knowledge, and meer Motion; and for divers good Causes and Considerations, us, hereunto, especially moving, all and singular the Letters Patents, Charters, and Confirmations aforesaid; and all and singular the Gifts, Grants, Confirmations, Restitutions, Customs, Ordinances, Explanations, and Articles; and all other Things whatsoever in the said Letters Patents, Charters, Grants, and Confirmations, or any of them, contained, recited, specified, confirmed, explained or mentioned; and all and singular the Land, Tenements, Offices, Jurisdctions, Authorities, Privileges, Liberties, Franchises, Freedoms, Immunities, Liberties, Customs, and Hereditaments whatsoever, which the said Mayor and Commonalty, and Citizens of our City of *London*, or their Predecessors, by the Name of the Mayor and Commonalty, and Citizens of the City of *London*; or by the Name of the Mayor, Aldermen, Citizens, and Commonalty of *London*; or by the Name of the Mayor and Citizens of *London*; or by the Name of the Mayor and Commonalty of the City of *London*; or by the Name of the Citizens of the City of *London*; or by the Name of the Barons of *London*; or by the Name of the Barons of the City of *London*; or by any other Name whatsoever, by reason or force of the said Letters Patents, Charters, or Confirmations, before mentioned; or of any Use or Uses, Prescription or Prescriptions, or any other lawful Means whatsoever, at any Time or Times heretofore have had, or reasonably used or exercised (except as above is excepted) ratifying, and gratefully for us, our Heirs, and Successors (as much as in us lies) accepting and approving, do them, and every of them, to the said Mayor and Commonalty, and Citizens of our City of *London* aforesaid, and their Successors, ratify and confirm, by these Presents, to have, hold, enjoy, and exercise, all and singular the Premises aforesaid (except before excepted) to the said Mayor and Commonalty, and Citizens of

our



our City of *London* aforesaid, and their Successors for ever, as fully, freely, and entirely, and in as ample manner and form, as the same are above-mentioned, to be given or granted, or as the same otherwise by Use, Prescription, or any legal Way or Right whatsoever, have been heretofore respectively had, obtained, or enjoyed, as if the same were seperately, singly, and nominally, in and by these Presents expressed, named, declared, granted, and manifested. And further, we will, and by these Presents we do, for us, our Heirs, and Successors, Grant to the said Mayor and Commonalty, and Citizens of the City of *London* aforesaid, and their Successors, that these our Letters Patents shall be in and by all Things, according to the true Intent thereof, good, firm, valid, and effectual in the Law, notwithstanding any misnaming, or any ill or false naming or recital in the same contained; or any Statute, Ordinances, Provision, Proclamation, or Restriction heretofore in any wise had or made. We will also, &c. without any Fine in our Hanaper, &c. Although express mention, &c. Witness our self at *Westminster*, the 24th Day of *June*, in the 15th Year of our Keign.

Yet notwithstanding this strict and solemn Engagement of King *Charles* the Second to preserve the City of *London* in her Rights and Privileges; it happened, when the said City in the Year 1682-3 opposed the Measures of the Duke of *York*, who was a Papist, and threatened, if ever he came to the Throne of these Kingdoms, to enthrall it into Slavery, which all the Subjects of that Church are in to the Pope; that the King intending to be revenged in the Magistracy of *London*, for thus opposing the Succession of his Brother to the Crown of *England*; issued out a Commission to try the Authors of the Disorder, which attended the Election of Sheriffs the last Year, which Disorder in the Commission was call'd a riotous and unlawful Assembly, and aggravated as much as a Thing of such little Moment could admit of; for fourteen Aldermen  
and

and substantial Citizens, (1) the leaders of the Whigs, were all tried and condemned in great Fines.

But the King stopped not here, though the new Magistrates and Common Council took care to give him marks of their Respect and Zeal, by Repealing several Acts of the Court of Common Council made during the late Troubles (2). They likewise replaced in its Nish in the Royal Exchange, the Statue of *Charles* the First, which had been taken down after his Death. Nevertheless this did not prevent a *Quo Warranto* (3) from being brought by the King against the City, which was argued and adjudged in the manner following.

(1) *Pilkington* 500l. *Shute* 1000 Marks. *Cornish* the same. *Lord Grey of Werk* the same. *Player* 500 Marks. *Bethel* 1000. *Jenks* 300. *Deagle* 400. *Freeman* 300. *Goodenough* 500. *Keys* 100. *Wickham* 100. *Swinock* 500. and *Jekyl* 200.

(2) Particularly the Lord Mayor and Court of Aldermens negative Vote was restored, and the Lord Mayor had Power of choosing one Sheriff, which is done at the *Bridge-Feast*, by the Ceremony of Drinking to the Person designed.

(3) i. e. an Order by the King's Suit to shew by what Warrant they pretended to be a Corporation, and enjoy the Privileges mentioned in the Writ.

*Mick.*

*Mich. 33. Car. II. in B. R. rot. 137.*

Sir **ROBERT SAWYER**, Knt.

His Majesty's Attorney-General.

AGAINST

The Lord Mayor, and Commonalty, and  
Citizens of *London*.

**T**HE Information in Nature of a *Quo Warranto* sets forth, *That* the Mayor and Commonalty, and Citizens of the City of *London*, by the Space of a Month then last past and more, used, and yet do claim to have and use, without any lawful Warrant or regal Grant within the City of *London* aforesaid, and the Liberties and Privileges of the same City, the Liberties and Privileges following, *viz.*

1st, To be of themselves a Body Corporate and Politick, by the Name of Mayor and Commonalty, and Citizens of the City of *London*.

2dly, To have Sheriffs *Civitatis & Com. London & Com. Middlesex*, and to name, elect, make, and constitute them.

3dly, That the Mayor and Aldermen of the said City should be Justices of the Peace, and hold Sessions of the Peace.

All which Liberties, Privileges, and Franchises, the said Mayor and Commonalty, and Citizens of *London*, upon the King did by the Space aforesaid usurp, and yet do usurp.



The Mayor and Commonalty, and Citizens, they appear by their Attorney, and Plead,

I. As to their being a Body Politick and Corporate, they prescribe and say,

I. That the City of *London*, and Time out of Mind hath been an antient City, &c. that the Citizens of that City are, by all that Time have been, a Body Corporate and Politick, by Name of Mayor and Commonalty, and Citizens of the City of *London*.

That in *Magna Charta de Libertatib' Anglia*, in the Parliament holden 9 Hen. III. it was enacted, *quod Civitas London' habeat Omnes Libertates Suas antiquas & Consuetudines Suas*.

That in the Parliament 1 E. III. that King, by his Charter *De Assensu Prelatorum Comitum Baronum & totius Communitatis Regni Sui*, and by Authority of the same Parliament, having recited that the same Citizens at the Time of the making *Magna Charta*, and also in the Time of *Edward the Confessor*, *William the Conqueror*, and other his Progenitors, had divers Liberties and Customs, Wills and Grants, by Authority aforesaid, that the same Citizens shall have their Liberties according to *Magna Charta*. — And that for any personal Trespass *Alicujus Ministri ejusdem Civitatis; Libertas Civitatis illius in manus ejusdem Domini Regis E. III. vel heredum Suorum non Caperetur, Sed hujusmodi Minister prout, qualitatem transgressionis pueniretur*.

They plead also,

That in the Parliament holden 7 R. II. *Omnes Consuetudines Libertates Franchesia & Privilegia Civitatis predict' tunc Civilis Civitatis illius, & eorum Successoribus, Licet usi non fuerint vel abusi fuerint Authoritate ejusdem Parliamenti, ratificat' fuerunt*.

King Henry VI. by his Charter, dated the 26th of October. 23 H. VI.

King Edward IV. by his Charter, dated the 9th of November. 2 E. IV.

King Henry VII. by his Charter, dated the 23d of July. 20 H. VII.

King James I. by his Charter, dated the 25th of September. 6 Jac. I.

King,

King *Charles I.* by his Charter, dated the 18th of October. 14 C. 1.

King *Charles II.* by his Charter, dated the 24th of January. 15 C. II.

*Ac eo Warranto* they claim to be, and are a Body Politick, &c. and traverse their Usurping upon the King.

2dly, As to the having, electing, making and constituting Sheriffs of *London* and *Middlesex*, they Plead,

That they are, and Time out of Mind were a Body Politick and Corporate, as well by the Name of Mayor and Commonalty, and Citizens, *quam per Nomen Civium London.* And that King *John*, by his Letters Patents, under the great Seal of *England*, in Court produced, dated 5 *Julii, Anno regni Sui primo*, granted to the Citizens of *London*, that they should have the electing, making and constituting Sheriffs of *London* and *Middlesex* *imperpetuum*.

Then they plead this Liberty and Franchise confirmed to them by all the aforementioned Statutes and Charters *ac eo Warranto* they claim to make and constitute Sheriffs.

3dly, As to the Mayors and Aldermens being Justices of the Peace, and holding Sessions, they Plead,

That the City is, and Time out of Mind was, an ancient City and County, and the Citizens a Body Politick.

That King *Charles* the I. by his Letters Patents, dated 18 *Off. 14 Car. 1.* granted to the Mayor and Commonalty, and Citizens of the City of *London*, that the Mayor and Aldermen of *London*, such of them as had been Mayors, should be Justices of the Peace, and should hold Sessions, and *eo Warranto*, they claim to be Justices, and hold Sessions.

To this Plea the Attorney General replies, And as to the Mayor and Commonalty, and Citizens of *London*, being a Body Politick and Corporate.

First, takes Issues that they never were a Body Corporate, and for this puts himself upon the Country. And then goes over and pleads,

That

That the Mayor, Commonalty, and Citizens, assuming upon themselves to be a Body Politick and Corporate, and by Reason thereof to have Power and Authority to convocate and assemble, and make Laws and Ordinances not contrary to the Laws of the Kingdom, for the better Government of the City and Citizens, and for preserving the King's Peace under Colour and pretext thereof, but respecting only their private Gain and Profit, and against the Trust in a Body Corporate, by the Laws of this Kingdom reposed, assumed an unlawful and unjust Authority, to levy Money upon the King's Subjects, to their own proper Use, by Colour of Laws and Ordinances by them *de facto*, ordained and established; and in Prosecution and Execution of such illegal and unjust Power and Authority by them usurped, 17th of Sept. 26 Car. II. in their Common Council assembled, made, constituted, and published, a certain Law by them *de facto*, enacted for the Levying of several Sums of Money of all the King's Subjects coming to the publick Markets within the City to sell their Provisions, (*viz*) Of every Person for every Horse-load of Provisions into any publick Market within the said City brought to sell 2 *d.* per Day. For every Doffer of Provisions 6 *d.* per Day. For every Carr-load not drawn with more than three Horses 4 *d.* per Day. If drawn with more than three Horses 6 *d.* per Day. And that these Sums of Money should be paid to the Use of the Mayor, Commonalty, and Citizens: And if any refused to pay, then to be removed from his Place in the Market. And that by Colour of this Law the Mayor, Commonalty, and Citizens, for their own private Gain, had illegally by the Space of seven Years next after the making this Ordinance, received divers great Sums of Money, in all amounting to 5000 *l.* per Ann. in Oppression of the King's Subjects.

And further, That whereas a Session of Parliament was holden by Prorogation, and continued to the 10th of January, 32 Car. II. and then prorogued to the 20th of January then next.



The Mayor, Commonalty, and Citizens, 13th Jan. 32 Car. II. in their Common Council assembled unlawfully, maliciously, advisedly, and seditiously, and without any lawful Authority, assumed upon themselves *Ad Censendum & Judicandum dictum Dominum Regem & Prorogationem Parliamenti per Dominum Regem Sic fact'*. And then and there in Common Council assembled, did give their Votes and Order, that a certain Petition under the Name of the Mayor, Aldermen, and Commons of the City of London, in Common Council assembled, to the King should be exhibited, in which said Petition was contained,

That by the Prorogation of the Parliament the Prosecution of the publick Justice of the Kingdom, and the making necessary Provision for the Preservation of the King, and of his Protestant Subjects, had received Interruption. And that the Mayor and Commonalty, and Citizens, in the same Common Council assembled, did unlawfully, maliciously, advisedly, and seditiously, and with Intention that the said Petition should be dispers'd amongst the King's Subjects, to induce an Opinion in them, that the said King by Proroguing the Parliament had obstructed the publick Justice, and to incite the King's Subjects to hatred of the King's Person and Government, and to disturb the Peace of the Kingdom, did order that the said Petition should be printed, and the same was printed accordingly, to the Intent and Purpose aforesaid.

By which the Mayor, Commonalty, and Citizens aforesaid, the Privilege, Liberty, and Franchise of being a Body Politick and Corporate did forfeit; and afterwards by the Time in the Information, that Liberty and Franchise of being a Body Politick, did usurp upon the King. *Et hoc &c.*

And as to the other two Pleas, (*viz.*) The making and having Sheriffs and Justices of the Peace, The Attorney General deferred to *Mich. Term.*

The Mayor, Commonalty, and Citizens, as to the Pleas of the Attorney General, pleaded in Assigning a Forfeiture of their being a Body Politick and Corporate,

R

Protestando

*Protestando*, That those *Pleas* by the Attorney pleaded, and the Matter in the same contained, are insufficient in the Law to forejudge or exclude the Mayor and Commonalty, and Citizens, from being a Corporation.

*Protestando etiam*, That no Act or Deed, or By-Law, made by the Mayor, Aldermen, and Common-Council, is the Act or Deed of the Body Corporate.

*Protestando etiam*, That they the Mayor and Commonalty, and Citizens of *London*, never took upon them any unlawful or unjust Authority to Tax the King's Subjects for their own private Gain, or did ever levy or exact from the King's Subjects coming to Markets such yearly Sums as in the Replication are alledged. — For *Plea* say,

That *London* is the Metropolis of *England*, and very Populous, & *Celeberrimum Emporium totius Europa*.

That there are, and Time out of Mind have been, divers publick Markets for Provision and Merchandize within the said City to be sold.

That the Mayor and Commonalty, and Citizens, have been Time out of Mind and yet are seized of these Markets in Fee, and by all the said Time at their own Costs and Expences have provided and have accustomed; and ought to provide, at their own Costs Places for the holding the said Markets and Stalls, and Standing, and other Accommodations for Persons bringing Provisions and Merchandizes to the said Markets; and Supervisors and other Officers for the better Preserving and Ordering the said Markets, and of the great Concourse of Persons coming to the same; and for the Sustaining and Supporting of the said Costs and Expences, by all the Time aforesaid, have had, and ought to have, reasonable Tolls, Rates, or Sums of Money, of Persons coming to the said Markets, for their Stalls, Standings, and other Accommodations, by them, for the better Exposing their Commodities, had and enjoyed.

They further say, that the Citizens and Freemen of London are very numerous, (*viz.*) 50,000 or more.

That within the said City there hath been, Time out of Mind, a Common Council assembled as often as necessary, consisting of the Mayor, Aldermen, and of certain of the Citizens not exceeding 250 Persons thereunto annually elected, called the Commons of the said City.

That there is a Custom within the said City for the Mayor, Aldermen, and Common Council, to make By-Laws and Ordinances for the Regulation and Government of the publick Markets within the City.

That these Liberties and Customs of the City were confirmed by *Magna Charta*, and the other Statutes in the Plea above mentioned.

That by Reason of the Burning of the City in September 1666, and the Alterations in the Market Houses and Places thereby occasion'd, for the Establishing and Re-settling the Markets within the City, 17 September. 26 Car. II. the then Mayor, Aldermen, and Commons, in Common-Council assembled, according to the said Custom, for the better Regulation of the said Market, did make and publish an Ordinance, entitled *An Act for the Settlement and well Ordering the publick Markets within the City of London*; by which said Ordinance reciting, that for the Accommodation of the Market People with Stalls, Shelters, and other Necessaries for their Standing in the Markets; and for the Amendment, Paving, and Cleansing the Market-Places; and for the support and defraying the incident Charges thereof, there have been always certain reasonable Rates and Duties paid for the same. And to the Intent that the said Rates may be ascertained and made publick to all Market-People, and the Collectors restrained from exacting. — It was enacted and ordained by the said Common-Council, that the Rates and Sums in the Replication should be paid to the Use of the Mayor and Commonalty and Citizens; or upon refusal, to be removed out of the Market. And they aver, that these are all the Rates or Duties paid; and these they



have demanded and received for the Use and Purpose aforesaid, as was lawful for them to do. As to the other Matter alledged by the Attorney-General in assigning the Forfeiture, they say,

That within this Kingdom, (*viz*) at the Parish of *St. Michael Bassishaw, London*, there was an execrable Plot and Conspiracy prosecuted by Papists to destroy the King, and to subvert the ancient Government, and suppress the true Religion in this Kingdom established.

That Sir *Edmundbury Godfrey* took Examinations of Witnesses, and Informations of the same; and also of the Burning of *London* by the *Papists*:

That divers of the Conspirators had lain in wait for him and murdered him, to the Intent to suppress his Examinations, and to deter other Magistrates from acting in the Discovery.

That *Green* and others were tried and hanged for this Murder.

That *Coleman* and others were also tried and executed for the same Conspiracy.

That *William Lord Powis*, Lord *Arundel of War-der*, Lord *Petre*, Lord *Bellasis*, were impeached by the Commons in Parliament of *High Treason* for the same Conspiracies, and sent to the *Tower*.

That the King in his Speech to that Parliament had recommended to them the further Pursuit and Examination of that Conspiracy, declaring he thought not himself nor them safe till that Matter was gone thro' with; and therefore it was necessary that the said Lords in the *Tower* should be brought to their Trials, that Justice might be done; and the Parliament having made an Address to the King, wherein both Lords and Commons declared their being deeply sensible of the sad Condition of the Realm, occasioned chiefly by the Conspiracies of a *Popish* Party, who had plotted and intended the Destruction of the King, and Subversion of the Government and Religion of the Kingdom; and thereupon a solemn Fast was kept pursuant to the King's Proclamation, grounded upon the said Address, and

and divers Bills prepared to be passed into Laws for the Preservation of his Protestant Subjects.

These Impeachments and Bills being thus depending, and the Lords in the *Tower* not tried, the Parliament was upon the 10th of *January* prorogued, as the Attorney General above in his Replication hath alledged, by reason whereof the Citizens and Inhabitants of the said City being faithful Subjects to the King, were much disquieted with the Sense and Apprehensions of the Danger threatening the Person of the King, his Government and Realm, by reason of the Conspiracies aforesaid, as is by both King and Parliament affirmed and declared; and conceiving no better Means to prevent, than by the Sitting of the Parliament; and having receiv'd a Petition from divers faithful Subjects, Citizens of *London*, to the same Effect: And it being lawful to Petition, the Mayor, Sir *Patience Ward*, and the Aldermen and Commons, in Common-Council assembled, for the Preservation of the King and his Government, did cause to be written the Petition in the Replication mentioned, which is set forth in *hac Verba*; and did Order, that after the same was presented to the King, it should be printed for the Satisfaction of the troubled Minds of the said Citizens; and traverse the Writing or Making any other Petition, of making this to any other End or Intent than they have pleaded.

The Attorney General, as to the Plea of the Mayor and Commonalty and Citizens, pleaded to the making and publishing the Ordinance about the Markets.

*Protestando*, That the Mayor and Commonalty and Citizens were not seized of the Markets, nor at their Charges provided Stalls and Necessaries, or Market-Places

*Protestando etiam*, That the said Rates and Sums were not reasonable.

For Plea saith, That by a Statute made 22 *Car. II.* it was enacted, that Places for Markets should be set out, and 2 *d.* per Chaldron upon Coals for the Charge

of that, and many other Things was given; and that they received a great Sum out of that Duty for the Purpose aforesaid; and yet for their own private Lucre took the Money by the Ordinances.

And traverseth, that the Mayor and Commonalty and Citizens, time out of Mind, *habuerunt & habere Consueverunt Tolneta, Ratas sive denariorum Summas per ipsos Majorem Communitatem & Cives Superius Supposita per Praefatam Legem, sive Ordinationem pradiet' Assess. & in Certitudinem reduct' prout per placitum suum superius rejungerendo placitat' supponitur.*

And to the Plea of the Mayor and Commonalty and Citizens, pleaded to the Residue of the Attorney's Matter assign'd for a Forfeiture, as aforesaid,

The Attorney *Protestando*, that the aforesaid Prorogation of the Parliament was for urgent Causes concerning the good of the Kingdom, and thereby the Prosecution of the publick Justice not have interruption.

And Demurs to the said Plea of the Mayor and Commonalty and Citizens by them pleaded as to the Petition.

The Mayor and Commonalty and Citizens, as to the making and publishing the Ordinance for the Payment of Monies by those that come to the said Markets, say as before,

That the Mayor and Commonalty and Citizens have, time out of Mind, had, and accustom'd to have, reasonable Tolls, Rates, or Sums of Money of all Persons coming to these Markets with Victuals and Provisions there to be sold, for Stalls, Standings, and other Accommodations by them had for exposing their Victuals and Provisions to Sale. And of this they put themselves upon the Country, &c. To this Mr. Attorney demurs.

And as to the Plea by the Mayor and Commonalty and Citizens, pleaded to the Residue of the Matter by the Attorney General, assigned for Forfeiture, they join in Demurrer.



*Memorandum*, That when the Demurrer in this Case was join'd, (*viz.*) Term. 34 Car. 2. Mr. Serjeant Pemberton was Chief Justice of the *King's-Bench*. But before *Hillary-Term*, that it came to be argued, he was removed, and made Chief Justice of the *Common-Bench*; and Sir Edmund Saunders, who had been Counsel for the King, in drawing and advising the Pleadings, was made Chief Justice of the *King's-Bench*.



De

De Termino Sancti Hillarii Annis R Rs.  
Car. II. 34 & 35. Annoq; Dom. 1662.

In Banco Regis die Mercurii 7 Februarii.

*Dominus Rex versus Majorem Communitat' & Cives  
Civitatis London.*

**T**HIS great Cause was twice only argued at the Bar: *First*, by Dr. Finch, the King's Solicitor, for the King; and Sir George Treby, Recorder of London, for the City. And next, by Sir Robert Sawyer, the King's Attorney General, for the King; and Henry Pollexfen for the City.

Mr. Solicitor. The Questions in this Case, as I think, will be,

1. Whether any Corporation can be forfeited?
2. Whether the City of London differ from other Corporations as to Point of Forfeiture?
3. Whether any Act of the Mayor, Aldermen, and Common Council, in Common Council assembled, be so much the Act of the Corporations as can make a Forfeiture?
4. Whether the Acts by them done in making the By-Laws, and receiving Money by it; or in making the Petition, and causing it to be Printed and Published, be such Acts, as if done by the Corporation, will make a Forfeiture of the Corporation?

Then he proceeded to prove that a Corporation can be forfeited, by the following Reasons.

I. First of all, No Corporation hath any other Creation than any other Franchise have, and subsist upon the same Terms that other Franchises do.

II. There is a Trust, or Condition in Law, that is annexed to, and grows upon all Franchises, that they be

be not abused, and the Breach of them is a Forfeiture of the very being of the Franchise.

III. And as there is no Foundation of that Opinion in Law, so the Mischiefs would be great, if the Law were otherwise. For,

First, That no Corporation hath any other Creation than other Franchises have; 'tis undoubtedly true that the King is the Original and Commencement of all Franchises; they have their beginning from him, the Books are clear and full in it: I need not quote them, though there are many, *Kelway* 138. 17 *Ed. II.* 530. in the Reports of those times set forth by Mr. Serjeant *Maynard*. Now, my Lord, there can be no Corporation, but by the King's Letters Patents; for even the Prescription doth suppose there was the King's Patent to create it at first. And therefore the proper Inquiry will be about the Second thing.

II. How far the Breach of Trust that is annexed to a Franchise, is a Forfeiture of that Franchise.

First of all, There is no Rule in Law more certain, than that the Mis-user of a Franchise is a Forfeiture of that Franchise. This he proves from the Statute of 18 *Ed. II.* from my Lord *Coke 2 Inst.* in his Observation upon the Statute of *Westm'* 1. And the Common Law wills that *every Man should lose his Franchise that does misuse it*: Then he produces the Abbot of St. Albans Case, 8 *Hen. IV.* 18. The Abbot of *Crowland's* Case; which two are cited by my Lord *Coke 2 Inst.* 43.

He grants that every Corporation is entrusted with a Franchise to make Laws for Governing the Subject within its Jurisdiction. But he adds, if that Power be exercised to the Subjects Prejudice, as it may be, it were an hard matter if there were no Law to redress that Grievance.

Therefore he concludes, a Corporation may be surrendered; and surely That, that may be surrendered, may be forfeited; according to 12 *Ed. III. rot. claus. memb.* 36. where a Writ is directed to the Constable of *Dover*, reciting, That the Cinque Ports had seized divers Goods of several Merchant Strangers *Portugueses*, and others, and the Writ commands that Right should be



be done, or else the Franchise should be seized into the King's Hands, 6 Ed. II. *rot. claus.* No. 5. The Liberties of the City of *Bristol* were seized, and the Custody of it granted to ——— for divers Contempts and Injuries done *per Majorem Ballivos & Communitat'* to the King, and so the close Rolls of R. 2. m. 6.

Then he quoted the Case of the Abbot of *St. Austin* in *Canterbury*, with the Men of *Sandwich*, as he found it in *Pasch.* 9 Ed. I. *Majus rot.* 25. among my Lord Chief Justice *Hales* Collections, that he has given to *Lincoln's-Inn* Library; and in the Collections of the *Adjudicata* in the Time of *Ed. I. fol.* 28. a. For the Abbot had Judgment, and Execution went out, and their Liberties were forfeited by Act of Parliament.

Yet, says he, tho' these are not Judgments in *Quo Warranto's* to out a Corporation of a Franchise of being a Corporation, yet it shews that these Things were Forfeitures of all the Franchises of a Corporation: And if so, what is the Corporation? Truly, 'tis nothing, 'tis but a Name; a Corporation without a Power is nothing at all.

Again, if a Corporation should forget to come into Eyre, or into the King's-Bench, the same Term that a *Quo Warranto* is brought against them, they must be outed of their Franchise for ever, as 'tis said, 15 Ed. IV. 6, 7. And yet, when all the Contempts and Oppositions imaginable are found upon Record that this should not be a Forfeiture, that seems absurd that a Neglect in Eyre should do it, but all the Oppressions and Offences in the World, when found upon Record, should not do it. And so I shall leave that Point; for I think it will be pretty clear, that a Corporation may forfeit their being of a Corporation.

II. I shall next then consider, whether the City of London be in any other plight than any other Corporations. I think truly there is no Difference at all. Now this Question doth depend upon what they have set forth by their Plea. And that is the Confirmation of *Magna Charta cap.* 9. *Civitas London habeat omnes libertates suas antiquas & consuetudines suas.* And then their Act of 1 Ed. III. upon which my Lord Coke in his

4 *Inst.* 253, says, that the Franchise of this City shall not for any Cause be seized into the King's hands. And then theirs of 7 R. II. which says, that the City shall enjoy its whole Liberties, *Licet usi vel abusi*. This is their Foundation upon which they would distinguish this City from all other Corporations. Now as to these Things I give these Answers.

First for *Magna Charta*, that plainly is no more a Confirmation to them than 'tis to other Cities and Corporations. For not only the City of *London* is named to have its ancient Liberties and Customs preserved, but 'tis likewise *Omnes alie Civitat'*, &c. all Cities, &c.

Then for their Acts of 1 E. III. and 7 R. II. I shall humbly offer this, That they in Truth are no Acts of Parliament at all.

And it appears 15 E. I. that the Franchise of the City of *London* was seized into the King's Hand, and *Johannes de Britton* was made *Custos Civitatis London*, who was no Freeman.

Then *Rot' Pat'* 26 E. I. he restored the very City of *London* to the Citizens, to hold it during his Will and Pleasure. In the Time of E. II. seized again; 14 E. II. memb. 21. of the *Pat' Rolls* in 21 *Rex dimisit Civibus London' Officium Major' Civitat' London'*, 15 E. II. *Rex dedit licentiam eligendi Major' London'*.

Then the second Part of the *Pat' Rolls* in 20 E. II. it is recited, that the King had seized the Office of the Mayoralty, and had replevied it from Time to Time, which Seizures shew plainly that the Franchises of the City were forfeitable; they were absolutely gone, and I do not find that these were ever taken out of the King's Hands by Process of Law, but were restored by Grace and Favour; for till the 20 E. II. it appears, that they so long continued in the King's Hands, and he absolutely disposed of them.

Thus it stood in the Reign of E. I. and E. II. so it appears in the 5 E. III. *rot. claus.* 14. that the King did discharge one from the Office of Mayor, and commands the Aldermen and Commonalty to choose another.

But

But I must a little observe, that truly the City have attempted to raise themselves above the fear of any Judgment in any of the King's Courts; for in *primo* R. II. *Parl. Roll* 126. there they Petition for a Confirmation of their Charter, with a Clause of *licet non usi vel abusi*; and that notwithstanding any Statute, Privilege, Charters, Judgment made or to be made to the Contrary, their Liberties might be confirmed: And in 1 R. II. *Parliament Rolls* 121. they do desire, that the Interpretation of their Charter may be left to themselves; and where it is doubting, such meaning as they should put upon it should be allowable. But to that the King's Answer was, That he would make the Interpretation of his own Charters, according as his Counsel should advise. So that I observe, they would feign have been absolute, but they could never do it. It hath always been denied them. So that from what was done at this Time, and after 7 R. II. it does appear plainly, that there was no Difference between the City of London and any other Corporation, only this is really the greatest. But as all Greatness is the King's Favour; so when Men forfeit their Duty in abusing the King's Favour, this great Court (of King's-Bench) is the Place to put them in mind of it. I come then to the third Question:

III. *Whether the Act of the Mayor, Aldermen, and Commonalty, in Common Council assembled, be an Act of the Corporation, so as to make a Forfeit of the whole?* I affirm it,

1. First of all, because the whole Corporation is fully represented by them, notwithstanding the Disparity of Number set forth in their Rejoinder.

2. Again, All By-laws and Ordinances made for the good Government and Order of the City, are certainly the Acts of the Corporation; but the sole Power of making those Laws is in the Mayor, Aldermen, and Common Council; and therefore sure the whole Power of the Corporation is in the Common Council.

3. They have the sole Power of the Corporation-Seal. They can bind all the whole Corporation by any Alienation to, or charge upon their Inheritance;

And



and by consequence they may surrender all or any of their Franchises, and then as I said they may forfeit them.

4. They have pleaded that there hath been time out of mind a Common Council, consisting of the Mayor, Aldermen, and two hundred and fifty Citizens, who are called the Commons of the City. So that it shall be intended now, that as they have prescribed for it as incident to their Corporation, it was part of their original Constitution to be thus represented by them, and ruled and governed by their Laws: But there is another Reason for it, and that is, that it is an inseparable Incident to a Corporation, implied in Law without grant, that they have a Power to make By-Laws to bind the Corporation, without which there were no Government in a Corporation; and therefore a mis-user of that Power must be a Forfeiture of their Corporation, because it is a Breach of their original Trust: 22 *Affis. pl. 34.* there is this Rule given, and a true one it is, Where there are many Franchises granted which do not depend one upon another, there the mis-user of one is a Forfeiture of that one which was mis-used; but where there are several Parts of a Franchise depending all upon the said Franchise, if any Part be mis-used, the entire Franchise shall be forfeited. As for Instance, if a Man have a Fair, a Court of Pye-powders is incident to it; the mis-user of that Court of Pye-powders is a Forfeiture of the whole Fair it self; for where any Part is abused that is incident to an entire Franchise, that abuse forfeits the whole. And this is the Opinion of *Palmer's Reports* in the Case of the Corporation of *Maidenhead*, where 'tis doubted whether the Market was forfeited for taking too much Toll, because the Toll was not inseparably incident to the Market, and so was not dependant upon the entire Franchise, and there the Rule is taken as I have said before, that the mis-user of a Part of an entire Franchise, or a Power that is incident to it, is a Forfeiture of the Franchise: And as they are not distinguished from other Corporations in point of Privileges

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vilege as to Forfeitures, so this is their Act, and shall bind them, being done by their Representatives.

IV. Then the fourth Point will be, *Whether these Offences set forth in the Replication are Forfeitures?*

I. The first is, the making of that Law in the Common Council for the levying of Sums of Money upon the King's Subjects, and the actual levying of those Sums accordingly; and this they justify under their Prescription to have reasonable Tolls, as they set forth in their Pleadings, from all Persons that come to their Markets to sell Provision there, and Power to reduce their Tolls to a certainty by an Act of Common-Council. This is their Justification; so that the first Thing to be considered is,

I. What Right they have to these Tolls or Sums of Money assessed by the By-Law; and then

II. Whether if they have no Right, their taking upon them to make a Law be a Forfeiture?

For their Right, that depends upon a Prescription to have reasonable Toll, as they set forth, and this, as they have pleaded, it appears to be no Right at all; for a Prescription to have Toll and Tollage, not shewing how much is certain, is void; for reasonable Toll is not incident to a Market, but the Party has it by the King's Grant, and so 'twas adjudged in this Court, *Mich. 39. & 40. Eliz.* cited by my Lord Coke in his *Second Inst.* 220. So if the King grant a Toll, if he do not in his Grant ascertain how much shall be taken for Toll, that Grant is void: And so is the Prescription too, as you may see in the Corporation of *Maidenhead* in *Palmer's Reports*, fol. 79. grounded upon 9 *H. VI.* 45. & 11. *H. VI.* 19. and so he cites the Opinion of *Popham* in the Case of *Heedy and Weldhouse*, for no Subject can prescribe to have Toll, but by the Grant of the King; so Judgment upon these Pleadings must be given against the City.

For though they had a reasonable Toll in general, taking the Prescription to be good, yet if either that reasonable Toll in the Use of it were not taken in that manner, or to that value that they assess by their By-Law, then they have done wrong; and therefore our

Traverse

Traverse is proper to their reasonable Toll, that they had not, time out of mind, such a Toll as they set forth; for it must be such a reasonable Toll as may answer to that which is assessed in the By-Law, and that they have not put in Issue. For the King, when once he hath granted a Market, and the People have Right to come to it as a free Market; neither can they, when once by Custom they have exercised their Power of assessing reasonable Toll, after that at their Pleasure; for it being once set, all People have Right to come upon such Terms: And if they Increase the Toll, under Pretence to reduce it to certainty, it will be void; for they may lower their Price if they will, but they can never come to increase the Penalty. If therefore they have done ill in not taking Issue upon the Traverse, which does take in the full Substance of their Rejoinder; if it be good, then Judgment must be given against them upon that Reason; so then the Question will be,

*Whether the making of a Law to raise Money at Large upon the Subject be a Forfeiture of the Charter? I affirm it. For,*

I. 'Tis the usurping of a Power that they neither can have, nor have by Law.

II. 'Tis a Breach of the Trust annexed to the Corporation; for 'tis a mis-user of the Franchise to the Oppression of the King's Subjects; and therefore the Charter must be forfeited, and not the other Franchise; because they have taken upon them, and usurped a Power to make Laws to raise Money. They have taken upon them a Legislative Power to oppress their fellow Subjects, that is their Offence, and that is a mis-user of their Franchise.

Then the next Thing will be that which is the last matter, that is *the Petition*, and that is of a strange Nature; where the Offence is not only in Presenting, but in Printing and Dispersing of it; it charges the King with interrupting the publick Justice of the Nation, and the making the necessary Provisions for the Security of his Protestant Subjects; because it questions the King's undoubted Prerogative of Calling, Pro-  
roguing



roguing, and dissolving Parliaments; for to say that Act of his was an Interruption of Justice, is all one as to say, the King did interrupt: and 'tis done by them as a Corporation; 'tis the Act of the City in their Common Council in the Name of the Corporation.

The Fact is confessed by them in their Rejoinder, but they have excused it in the manner of doing thereof as not done maliciously. But if the Fact be done, the Law says 'tis *maliciously* done, and with such an Intention. Therefore a Confession of the Fact is a Confession of all the Consequences that the Law puts upon the Fact.

This then can amount to no less than the Forfeiture of their Charter, not only for the greatness of the Offence, but because otherwise the Law would be unequal. Therefore upon the whole matter, I do humbly pray your Judgment for the King, that they may be outed of their Franchise of being a Corporation.

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Sir

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Sir GEORGE TREBY for the CITY.

De Termino Sancti *Hillarii*, Annis Regni  
Regis *CAROLI* Secundi 34 & 35,  
Annoque Domini 1682.

In Banco Regis die Mercurii 7 *Februarii*.

*Dominus Rex versus Majorem, Communitatem, & Cives  
Civitatis London.*

*May it please your Lordship,*

I Am of Counsel in this Case for the Mayor, Commonalty, and Citizens of *London*.

The Record hath been truly opened by Mr. *Solicitor* in all particulars, except an Omission of one or two, which I shall mention.

The Information sets forth and charges, that the Mayor, Commonalty, and Citizens of *London*, had by the space of a Month before the Information, used, or claimed to use without any Warrant or Royal Grant, the Liberties therein set forth; that is to say, to be of themselves a Body Politick and Corporate with such a Name, and by that Name to plead and be impleaded, to answer and to be answered: And likewise to make Sheriffs and Justices of the Peace; but as to these, there are only Imparlances, and I suppose Continuances. But, as to the first Article, the Defendants plead and prescribe, that they are a Body politick time out of mind; and then they set forth indeed several Acts of Parliament and Charters of Confirmation. To this Mr. *Attorney General* doth Reply two Things:  
First,

First, He takes Issue upon the Prescription, that they are not time out of mind a Body Politick with such a Name; and then he assigns a Forfeiture, which *Mr. Solicitor* indeed does call two Causes; but they rather seem to be but one joint Cause; but yet take them to be two.

The first is,

That the City did assume upon themselves a Power to meet and make Laws for the Government of the City, and thereupon did make the Law which is now in Question: And thereby did levy, and order to be levied, for one Horse-load of Provision so much, &c. and that this should be paid to the use of the City, and for default of paying, the Persons denying to pay this Rate, should be removed from their Standings in the Market. The second Branch is, The Petition, and therein are those Words which *Mr. Solicitor* hath repeated about the Prorogation of the Parliament.

And to all this the Defendants do rejoin, That the City of *London* has time out of mind been seized of these Markets; and they say, that the City of *London* is the Metropolis of the Kingdom, and consists of above 50,000 Citizens and Inhabitants; and that (at their proper Costs and Charges) they are to provide, and always have provided a Market-Place to sell Provision in, and also Officers for the Preservation of good Order, and Regulation of that great Concourse of People that comes thither, and that they have always amended and cleansed the Markets; and for these Charges of the Market-Places, and Officers, and Cleansing of the Markets, they have always received, and ought to receive reasonable Tolls. They say that time out of mind there has been a Common Council in the City, and that for the like time there has been a Custom that they should make By-laws for the better Regulation of Markets, for the Ordering where such and such Markets should be held, and for the assessing and reducing to certainty the Tolls and Rates that are to be paid by Persons coming to the Markets, so as such Laws be profitable to the King and his People, and agreeable to the Laws of the Kingdom; and then  
again



again they set forth the several Confirmations of their Customs and Privileges by Acts of Parliaments and Charters.

And then, as to the second Branch of their Forfeitures, they set forth, that there was such a Plot and such Proceedings in the Courts of Justice against the Conspirators, and that there were several Judgments and Executions upon it; and they set forth several of the King's gracious Speeches to his People in Parliament; amongst other Things that he did there in his Speech therein mentioned, recommend to the Lords and Commons in Parliament assembled, to pursue the further Examination of the Plot; adding, that he thought not himself nor them safe till that Matter was gone through with, and that the Lords in the *Tower* might be brought to their speedy Trial, that Justice might be done. They set forth likewise an Address of both Houses for a Fast, wherein they desire that the King would issue forth his Proclamation, which Proclamation is accordingly issued, and in that it is expressed (I cannot repeat the Words, but to this Purpose) *That the Dangers impending could not be prevented, but by the Blessing of God upon the Councils of his Majesty and the Parliament.* Then they set forth, that the Parliament was preparing several Bills for the Preservation of his Majesty's Person and the Protestant Religion, and the Peace of the Kingdom, and those Bills could not be enacted elsewhere, and that they were then depending: And they set forth further, that the Parliament was prorogued before those Bills were enacted; and they set forth also, that the Lords impeached could not be tried, but in Parliament; and, that by the Law of the Land it is lawful for the King's Subjects in their Distresses, and for Redress of Grievances humbly to Petition the King for Remedy in that behalf; and that for Satisfaction of the Citizens who had made their Applications to the Common Council, and for the alleviating of their Fears, and out of their Zeal for the Preservation of the King's Person and the Protestant Religion, they did give their Votes to this Petition, as is charged: And they  
give

give their Reasons for it, that is, it was ordered to be printed, to the Intent that false Rumours (concerning the Citizens petitioning of the King) might be prevented, and the Enemies of our Lord the King from proceeding in their Conspiracy be deterred, and the Fears and Perturbations in the Minds of the King's Subjects might be allayed, and that the Citizens and Inhabitants of the said City might better know what was done upon their Application to the Common-Council.

*My Lord,*

I have taken some Notes of what Mr. *Solicitor* has said; but I beg your Lordships leave, that I may first deliver what I have prepared upon the Argument; and afterwards I will talk upon my Notes, and give particular Answers to the particular Things he has insisted upon, for so much of them as I shall not Answer in my Discourse, which I must beg your Lordships Patience in; for I fear I shall be pretty long.

I shall go on upon the same Points Mr. *Solicitor* has done, and endeavour to meet him, and give an Answer in all particulars, and shall add a Point or two which he has not mentioned, as particularly; That this Information (as it is here laid upon this *Quo Warranto*) is not brought against right Persons; for it is brought against the Mayor, Commonalty, and Citizens of the City of London. Whereas it ought to be brought against particular Persons for usurping such a Corporation, if it can be brought at all.

The first Thing that I shall go upon, is,

*That a Corporation cannot be forfeited;* He proves his Argument from the Notion and Nature of a Corporation, which my Lord Coke's 1st *Inst.* fol. 202, 230. says, is a Body to take in Succession, framed as to that Capacity by the Policy of Man, and called a Corporation; because the Persons are made into a Body, and so are of Capacity to take or Grant, &c. so that there is no more now can be considered in this Record, but whether we have or can have the Capacity of being Plaintiff and Defendant.

Now

Now *Brooks Abridg. tit. Corporation* joins the *Titles Corporations* and *Capacity* together, to shew the Nature of a *Corporation* is a *Capacity*. And suitable to this is what *Justice Windham* says in *Dr. Patrick's Case*; *A Corporation is a meer Capacity, a civil Capacity*, says he, I do call it an *Ens rationis*; that is, *an invisible Person and Capacity only*; so that a *Corporation* is not properly a *Franchise*, to have a Power to be impleaded and to plead; for as to that they are Consequents which belong to the Person rather than a Liberty or Franchise that is superadded to it. Witness *Norris and Stap's Case*. And My Lord *Hobart* says 210. *Tho' Licence or Power to make Laws be given to a Corporation by a special Clause*; yet it is needless. Tho' I do agree that there is one Case, and yet but one in all the World, wherein a *Corporation* is called a *Franchise*; and it is in *Cokes Entries, tit. Quo Warranto, Placito primo*. So that under that general Word I confess it may be called a *Franchise*; and the rather, because Mr. *Noy*, in his great Argument of *Fulcher and Heywood's Case* in Mr. *Justice Jones's Reports*, says 'tis a *Franchise*.

Yet that it is not in its own Nature forfeitable, I shall prove from those Qualifications that have been attributed to it, and Expressions in our Law Books about it: As, that a *Mayor and Commonalty, or Body Corporate*, can never die, 1st Inst. fol. 9. b. 3 Coke 60. a 2 Bulstr. 233. 21 Edw. 4. fol. 13. A Mayor and all the Officers; but the Commonalty have Succession in perpetuum, and can never be said to die. *Grotius*, in his Book *De jure Belli & Pacis, lib. 2. cap. 9.* says, *Cities are Immortal*; so that the Dissolving of a Corporation by a Judgment in Law, as is here sought, I believe is a Thing that never came within the Compass of any Man's Imagination till now; and I am the more confirmed in it, because so learned a Gentleman as Mr. *Solicitor* has not cited any one such Case, wherein it has been (I do not say adjudged, but) even so much as questioned or attempted; and therefore I may very boldly call this a Case *prima impressio*.



My Lord *Rolls* in his Abridgment part 1. fol. 314. tit. *Corporation*, at the Letter J. makes it a Head of one of his Titles, how a Corporation can be dissolved? And therefore was led very properly to enquire into all Things that might dissolve a Corporation; for that Book is in the Nature of a Common-Place Book. Now under that Head he cites not only the Common-Cafe, if all the Members die, then 'tis a Dissolution; but he says further, and he cites an Authority for it, If a Corporation consists of so many *Confratres*, and so many Sisters, and all the Sisters die, this Corporation is dissolved, for both the Brothers and Sisters are integral Parts of the Corporation, and it cannot subsist by halves; But he does not go further, he does not say, if they shall levy too much Money upon the Market; nay, he does not say, if they should commit Treason, (if it were possible they could do so) which had been more proper to have instanced in, he being naturally led to it under that Title; for that is a Thing that happens a Thousand Times oftner than the Death of all the Members. And under favour, if the Law be so as they would have it, every Penalty levied upon a By-Law does endanger the Corporation every whit as much as this of the Rates upon the Markers.

I can challenge all the Times, and all the Precedents that ever were in this Kingdom, to shew me where ever there was a Forfeiture of a Corporation, or a Judgment given against a Corporation to forfeit it, no nor ever thought of till this last Year, I think, I may assert 'tis not Law. And if it extend to this Corporation of *London* it must have extended to all Corporations formerly, and it must do so to all still. If any Man does tell me that the restraining Statutes do extend to the Corporation, truly I must deny it; for it is Lands, Tenements, and such Things that are mentioned, and there is Provision made only against Grants, and not against Forfeitures.

A Corporation in a Town is still more protected in Law than others are. For, says my Lord *Coke*, if a Town or Borough does decay, yet it shall remain a Town or Borough, as is plain in the Instance of the  
Burgesses

Burgesſes of Old Sarum, and the like. So that it ſeems, that though the Death of the Abbot and his Convent does deſtroy that Corporation, yet the *Dilapidations* and Decays of a Town does not deſtroy it, but it remains a Town ſtill. Nor is the Liberty of ſending Burgesſes to Parliament deſtroyed or forfeited.

Mr. *Solicitor* was pleaſed to ſay that a Corporation might be ſurrendered. I believe Mr. *Solicitor* (becauſe he cited no Authority for it) might reſt very much upon the ſuppoſed Surrenders in the Time of *H. VIII.* The Surrenders that were made of the Monaſteries then. And I do believe he does preſume as others have thought, that thoſe were Surrenders of their Corporations, which I ſhall prove to have been no ſurrenderies: I ſhall rely upon the Dean and Chapter of *Norwich's Caſe*, 3 *Coke* 73, which is alſo reported in 2 *Anderson* 121. and I ſhall at the ſame Time mention another Caſe, and that is the Caſe cited before of *Fulcher* and *Haywood*, in *Jones* 166. and in *Palmer* 491. where *Whitlock* ſitting in this very Court ſays, fol. 501. That altho' the King can create and grant a Corporation, yet he cannot diſſolve a Corporation; and a Dean and Chapter being a ſettled Corporation, by their own Act cannot diſſolve themſelves; being once a ſettled Corporation cannot be *felo de ſe*. I do allow there are the Words *Surrendered* and *Forfeited*, and I mention them on purpoſe to answer them, and this is the Answer I give them.

Fiſt, For the Word *Surrender*, when the Monaſteries were ſurrendered, that was only a Grant of the Lands, and nothing elſe; the Word *Monastery* can carry nothing elſe in it, ſee *Wortly* and *Adam's Caſe* in *Plowden's Com.* 194.

Secondly, As to the Word *Forfeited*, my Answer is this, the Corporation is not named in the Surrender, and therefore cannot be preſumed to be intended to be ſurrendered; But as the *Leets*, *Liberties*, and *Franchiſes*, are named, and are capable of being forfeited, ſo the Word *Forfeited* may and ought to be applied to them.

And

And that a Corporation cannot be dissolved but by Parliament, I shall cite your Lordship *Davis's Reports*, fol. 1. b. where he says, that neither by Surrenders, nor by the Acts of Parliament that gave their Possessions to the Crown, were those Corporations dissolved; the Surrenders did not do it, and the Acts of Parliament did not intend it.

There are many Things that are *renounceable*, that yet are not *forfeitable*; An Annuity *pro Consilio impenso & impendendo* may be surrendered; and so is *Epsom's Case in Dyer fol. 2.* but it cannot be forfeited by Treason, 'tis a Thing that adheres to the Person, and there is a Privy in it that makes it not forfeitable.

Those Words of *Seizures of the Liberties*, and *Seizures into the King's Hands*, when they are considered they will signify very little. *Vet. Nat. Br. fol. 161.* He distinguishes there (and every Body must) between the Causes of the Seizure of a Franchise into the King's Hands, and the Causes of a Forfeiture, and there he sets down several Things, and then adds *stude differentiam istorum*, so that there is a Difference, and that Difference ought well to be advised upon. In 2 *E. III.* 18, & 29. *Scrope* gives the Rule, he says, in some Cases a Franchise ought to be taken into the King's Hands, and in some Cases it ought to be seized till a Fine be made to the King, and in some Cases it ought to be forejudged; and so he makes three Distinctions. Now this will answer (as I shall observe by and by) all that Mr. *Solicitor* has produced about Seizures, either by Act of Parliament, or for a Fine, or for a Distress for want of Redemption. If a real Action, there goes out a *Grand Cape*, and there the Lands shall be seized into the King's Hands, and that looks big upon Record: But if you come to know the meaning of it, 'tis only that the Sheriffs should return Issues upon it, and that's a very little Thing; the King has no Pre-*tence* to the Title of the Land, nor is the Suit his Suit, but the Parties; And when the King had so Seized them, what did he do? He put in a *Custos* upon them, which was to keep them in good Order; he put them into a safe Hand, but it was never intended to suspend



suspend or destroy the Corporation: For the Corporation went on as it did before, what can he do when he has seized the Corporation? Can he himself be the Mayor, Commonalty, and Citizens of *London*? Or, can he put in any one to be such Corporation? It is not a thing manurable, 'tis not a thing seizable, nor ever was seized; for the king can seize nothing, but what he can have, and use when he has seized it. And therefore all those *Custodes* that were put into *London* upon the seizing of the Liberties, were only in the nature of the *Lord Lieutenants*, that were to keep Order in the City, and prevent Breaches of the Peace: but still the Customs, the Courts, and the usages of the City went on as they did before. This is without contradiction very plain, during all the time of those Seizures. So that which Mr. *Solicitor* speaks of, if it had been forfeited at all, it must have been extinct; and if there could have been a Judgment given against it, it could not have been taken into the King's Hands, but it must have been an *Ouster* of the Liberties.

The next Point that I go upon is, what I at first mentioned, and that is this, that this *Quo Warranto* is not well brought, and there can be no Judgment given against us upon it, if we should admit (which I do not) that a Corporation is *forfeitable*, or if I should grant (which I do not, neither, but shall come to that afterwards) that the particulars assigned are causes of a Forfeiture.

Now this *Quo Warranto* is brought against the Mayor, Commonalty, and Citizens of the City of *London*, that is to say, against the Corporation, (for that is the corporate Name, and no Man sure is so vain as to think, That can be the Christian Name or Surname of any natural Person) therefore I say 'tis brought against us as a Corporation, and charges us, that we have usurped the Liberty of being a Corporation, under such a Name, for a Month before the Information brought. Now I say this is impossible and this is repugnant; for the Question is here, whether we are a Corporation, and that is a Liberty to be Plaintiff and Defendant? And then comes Mr. *Attorney* and admits

us to be Defendants; for he sues by that Name, and yet the very Question that he does bring us to dispute of, is, whether we are capable of being Defendants or no? that is, just as if he should have said, 'I have brought you into Court, and you must be Defendants, or else I have brought you here for nothing, for there is no cause depending without parties Plaintiff and Defendant, and then I will assign for the cause of my Suit that you are no Defendants; nor is it possible for you to be Defendants. He strengthens this Reasoning with great Authority, viz. the Case upon a Writ of Error out of Ireland to reverse a Judgment given in a *Quo Warranto* against the Corporation of Dublin: 'tis in *Palmer*, the first Case, and 2 *Rolls fol. 113. & 125*. Now Aldermen, they are forejudged, that the Liberties should be seized and they ousted, as to their being a Corporation *Curia advisare vult*, so the Case is in *Palmer*: But in the other Book in 2 *Rolls 115*. It is agreed if a *Quo Warranto* be brought to dissolve the Being of a Corporation, it ought to be brought against particular Persons, for the Writ supposes that they are not a Corporation; and 'tis to falsify the supposal of the Writ to name them as a Corporation.

In this Case of *Cusack*, I am assisted further with a Report of it in my Lord Chief Justice *Hales Common-Place Book, fol. 168. plito 7.* where he says expressly; If a *Quo Warranto* be brought for the usurping a Corporation, it must be brought against particular Persons, because it goes in disaffirmance of the Corporation, and Judgment shall be given that they be ousted of the Corporation, but if it be for Liberties claimed by a Corporation, then it must be brought against them as a Corporation; and this is our Case directly. And I do not now consider the Number that make up that Body (that *London* being so populous alters the Case) for the Case is the same, if it were with the Corporation of *Queenborough*, or any other petty Corporation. Suppose 20 Men be a Corporation, or pretend to be a Corporation, and you come to enquire by what particular Means these 20 Men pretend to be a Corporation, or as the Words of this *Quo Warranto* are, usurped to be

be a Corporation; you must not say that they are one, and then say that they usurped it, for 'tis not the Corporation that usurps to be a Corporation, that is impossible, but 'tis the particular Persons that usurp to be a Corporation, when indeed they are not. A Corporation may usurp a Market, as they may usurp a Leet, but they cannot usurp themselves.

Hence I am sure there never was a *Quo Warranto*, that we can find any printed President of, against the being of a Corporation, so that very President is not against those that really were so, and but one against particular Persons that usurped to be so. And if you search all the Records of this Kingdom, and all the Books in all the Offices, you will never find any that is brought against a Corporation, for being a Corporation, upon Pretence that they might be made none by a Forfeiture; and no Prerogative of the King shall extend to excuse this, but his Action shall abate, if it be not right brought, as well as the Subjects, and so is *Plowd' Com. fol. 85.*

The Authorities before cited in *Palmer, Cokes Entries, Rolls*, and my Lord *Hales Common-place book*, are not all; for I have some other that never saw the light in print yet, and that is the Case against *Bradwell* and others, *Trin. 18.* of this King. A *Quo Warranto* was brought against them for usurping to be a Corporation, or Company of Musicians; it had been a strange Thing if the *Quo Warranto* had been brought against that Corporation, and then the *Attorney General* had said they were no Corporation, nor never were; there they did think best and fittest to go against *Bradwell*, and the rest, and that by name and only so, not against the Body Corporate. Then say I, no Judgment at all can be given upon this Score, *Non admittitur exceptio ejusdem rei cujus petitur dissolutio*, a Man shall never be admitted to controvert that to be in Being, which he himself desires to be destroyed, and so has allowed it to be. Shall Mr. *Attorney* be admitted to deny the supposal of his own Writ? and truly I think I might very well leave this part of the Case, and this Point, to Mr. *Attorney General* himself; for if he will have any thing to be



answered by us, he must maintain us to be a Corporation capable of answering; and so I have reason to expect, that, against his own Replication, he will be pleased to support the Being of our Corporation, and so dismiss us hence.

II. My Lord, I have done with this Point, and now I come to the Replication, where we are charged with two forfeitures, the one is by Reason of the Abuse of the Market, the other is by Reason of the Petition. My Lord, I shall answer both of them, that we were seized of the Market, That is pleaded and that is agreed: That we were seized of Tolls, and were to have reasonable Tolls, that is agreed to; That there is a custom in *London* to have Common Councils, and that this was by Common Council is agreed; all this is agreed by the Demurrer; That this Toll is for the Accommodation of Persons repairing thereunto for their Stalls; and if I would call it by any particular Word, I had rather call it Stallage than any Thing else: It is for those Accommodations which we have been at vast Charge in preparing and providing, and for the Maintenance of requisite Officers, and for the cleansing of the Markets. Now Mr. *Solicitor* objects, that we cannot prescribe for a Toll uncertain, yet I will name him some Things that he must agree, and I know he will grant, are uncertain, as Pickage and Stallage, which are Duties for picking in my Earth, to dig holes for the Posts of Stalls to be fixed in: Now there can never be, nor ever was, any Circumscribing in those Matters, for Circumstances in every of those Cases must govern it; and in all Grants that ever were of Pickage and Stallage, they were never reduced to a certainty, and those are Things too that relate to a Market.

And so I take it to be for Keyage, Anchorage, and the like; for when there are Posts or Places for Ships, to which they may be fixed, the Owner of the Port may have a Compensation for that, but that must needs be uncertain, according to the Circumstances; if a Ship be bigger or lesser, if a Ship stay a Month or a Day, 'tis not fit the same Rate should be paid, nor is it usually

usually granted by particular words, *Co. Ent* 535. & 536. *placit* 4. so that all that Mr. *Sollicitor* hath built upon, that must, I think, needs vanish.

My Lord, I do not think but *London* ought to be, and is as much under the Obedience and Correction of the King as any City; but yet I believe in these Cases of their Customs, you will give that Allowance and Indulgence to it that all your Predecessors have done, which is greater than they have given to any other Corporation in the Kingdom, and that because it was *London*; there should be such a Thing as a foreign Attachment, I think is hardly allowed in other Places; I am sure I have known it denied in some, that a Contract in Writing should be equal to a Book Debt; that a Feme Merchant should sue or be sued without her Husband; or if he be named, he should be only named for conformity: Their Penalties that are sued for in their Courts, a great many of them are such as would not be well maintained in other Courts, or in any other Place, and yet they are maintained there, as namely, That their Penalties should be sued for before the Mayor and Aldermen, when the Benefit of them goes to their use; and yet that is allowed in the eighth Report, notwithstanding the grand Objection, that they are in some sort Judges and Parties, *Rolls* 2 p. *Ab. Tit. Prescription Letter H. fol. 266. No. 2. & 3.* The City of *London* may prescribe to have a Court of Chancery in *London* of Matters tried in the Sheriff's Court, though such a Court cannot be granted by the King's Letters Patents; and it would be very dangerous that petty Corporations should have such Courts. The Customs of *London* have been upheld; and I must confess I think that is very strange, even against the general Words of an Act of Parliament, 2 *Inst.* 20. A Goaler in *London* may permit his Prisoner, that is in Execution, to go at large with a Barroon in any Place within their Jurisdiction, and 'tis no Escape. And so is *Plowden's Com* 36. A Citizen of *London* may set up one retail Trade, though he was bred to another, notwithstanding of the *Stat.* 5<sup>o</sup> of Queen *Eliz.* And for a general Rule take that that is said in *Palmer* 542.

Those of *London* may prescribe against a Statute, and the Reason is, because their Liberties are confirmed by Statute, and other Towns are not. *Fleetwood*, Recorder of *London*, says a very strange Thing in 1 *Leon* 284. *Hollingshead* and *King's Case*, and in 4 *Leon* 128. That the King's Courts ought to take Notice, that those of *London* have a Court of Record; for if a *Quo Warranto* issues to the Justices in Eyre, it does not belong to them of *London* to claim their Liberties, for all the King's Courts have Notice of them. And truly I have been informed, I mean, by Copies of Records, that when the Justices in Eyre came to the Tower, this was a Privilege allowed to them, they were not bound to set forth their Liberties as others were. Therefore, my Lord, I think this, as 'tis pleaded, is a Duty very justifiable and payable, by virtue of this Custom.

Then he proceeds to confirm his Plea from my Lord *Gibban's Case* 1 *Leonard* 218. *Hickman's Case*, it *Rolls* 2. p. of the *Abridgment* 123 *Letter B*. The Case of the City of *Dublin* in the same Book, fol. 265. The Case of the Bellman of *Litchfield*, reported in *Rolls* 1 p. fol. 1. & 44. in 2 *Bulstrode* and in *Moor*. The Cranage in *Dyer*, and the Case of 21 *H.* 7. 16. where the Town of *Gloucester* prescribed for a Toll of Boats passing by the River near the Town. Then he proceeds with his Argument.

Now, my Lord, for ours, there was very great Reason to induce it, the great Alterations that were made in *London* by the Fire; and that we provide the Market-Places at our Charge; we do keep Officers, and pay them for keeping Order in the Markets: And above all, we provide Standings and Stalls, and such Accommodations; and that I am sure is a Provision no Lord of a Market is bound to make unless he will, and therefore the Market People that are accommodated by it have great Reason to pay for it; and we pay all the Taxes for the Market-Places, for the Ground is ours; and that is not alledged in the Pleading indeed, but it must be implied, because we pay the Taxes, and they that have the Standings are not liable to pay the Taxes: And so is the Judgment in *Rolls* 2. p. 238. and the 2d *Abr.* 289. And in the Case of *Cusack* Justice *Dodderidge* says, that the re-  
deeming



deeming of one Fair from the Abbot of *Westminster* cost the City of *London* 8000*l.* for he had a Fair at *Westminster*, and a Market for 40 Days, and that during that time no Sale should be in *London*. The Measure of a Toll is evil according to my Lord *Coke* 2 *Inst.* 58. when the Thing demanded for Wares or Merchandizes does so burthen the Commodity. But here Trade is so far from being discouraged, as that it is increased, as is implied in the Replication; for 'tis said, we receive 5000*l.* a year. So that the increase of Trade is the thing complained of in this *Quo Warranto*. You cannot judge this to be unreasonable. I have not heard one Word said that this is an unreasonable oppressive Toll; nor can you judicially determine this to be an unreasonable Toll. According to the Rule in *Cokes Magna Charta* 222. the Toll of a Market need not be certain, only it must be reasonable. And what shall be deemed reasonable, the Judges must determine if it come judicially before them. Now this Case must have all its Circumstances stated and agreed by Demurrer, or found by Verdict. Perhaps we have over-brought all these Tolls that they call unreasonable; we aver it to be reasonable, the Demurrer agrees it to be so, and you must intend it to be so, unless the Contrary be set forth clearly in its Circumstances; for he that will have a Forfeiture, must shew the Circumstances to make it out. Again, An unreasonable By-law is no reasonable Cause or Colour for forfeiting a Corporation.

This he proves from my Lord *Hobart* in *Norris and Staps Case*, *Hob.* 211.

So that if this be a Forfeiture, I say 'tis only a Forfeiture of the Market; nay, not so much neither, 'tis only a Forfeiture of the Toll.

There is a Statute which I think is a most plain Declaration of the Law in this Case, and 'tis the Stat. of *West'* 1. *ca.* 31. concerning those that take outrageous Tolls in Market-Towns. The Statute says, *Le Roy prendra le Franchise del' March en sa maine*. The King shall seize the Franchise into his own Hands. My Lord *Coke* in his Comment upon that Statute

tute says, he shall seize the Franchise of the Fair or Market till it be redeemed by the owner, that's all. But this is intended says he, upon an Office to be found; for in Statutes all Incidents shall be by intendment.

Now in the *Quo Warranto* that was brought against the Corporation of *Maidenhead* in *Palmer's Reports*, there is this very Case. That Corporation took an outrageous Toll, too much Toll, or that that was not justifiable, for going over their Bridge. Yet it was so far from being imagined that this should be a Forfeiture, (and yet the Case is the same, let any Man distinguish it that can) that it was a Question whether the Market was forfeited or no, as you may see in that Book, fol. 82. And there 'tis said by *Doderidge*, and at last it was agreed by all the Court, that it should be a Forfeiture only of the Toll, and not of the Market. And to this I will apply that Rule that Mr. *Sollicitor* himself did mention, *Punietur in eo quo peccat*. You have offended in the Toll, therefore you shall suffer in the Toll, not in the Market, then to be sure not in the Corporation. Statutes are supposed to be penal enough of themselves, and all penal Statutes are to be taken equitably as to the Penalty, and not stretch'd beyond the Letter. And wherever a Statute inflicts a Penalty, and says you shall forfeit so much, as my Lord *Hobart* says, the Common-Law shuts up the Negative, that you shall forfeit no more.

Then he adds the Case of the City of *London* too about the measurage of Coals. It is Sir *Julias Caesar's* Case, 1 *Leon'* 106. A *Quo Warranto* is brought. You have it in *Coke's Entries* fol. 535. and 536. *placit'* 4. And the City of *London* appeared and pleaded, and prescribed to it; and thereupon the Attorney General that then was, my Lord *Coke* himself, was satisfied, and confessed their Title, and Judgment was given for them; and since it hath been held good, and they have enjoyed it in Peace.

My Lord, I come now to that Part which I come least willingly to, I mean that of the Petition; and that which I have to say in it, is this, my Lord. First, I say

I say, That this Petition is justified in the Pleading, and I hope it is very justifiable. My Lord *Hobart* says, fol. 220. that it was resolved by the Court in *Renham's* Case to be lawful for any Subject to Petition to the King for a Redress in an humble and modest manner. Now the Common Council are not less privileged than any other, sure.

My Lord, If the Words themselves that are alledged are not Words that are unlawful to be delivered or spoken, then all this that they are dressed up with, of the Intention to censure the King, and to bring him into dislike with his People, all that must go for nothing, and are not to weigh in the Case. Now the Words are these, That there was a Prorogation, and by Means of this, there being depending so many Impeachments of Lords and others, and Bills in the Parliament in both Houses, which could not be perfected any where but there; the Prosecution of the publick Justice, and the making Provisions necessary for the Preservation of his Majesty and his Protestant Subjects, received an interruption. Now, my Lord, I conceive these Words are not Words that in themselves are unlawful; they are in Sense and Substance the same Words that have been spoken by the King, and the Lords and Commons in Parliament. I am confident, without reflection, that Honourable Person my Lord *Danby*, in this Point, hath said Words much more liable to exception, though truly Words that I believe deserve no rebuke. He has complained that Justice was not done in his Case, because he was not tried, and that when he desired to be tried too, but his Liberty taken away; and he forfeited that which was dearer to him than Lands or Honours, his Health, whereby he endangered his Life, and lost all the Comforts of Life. If it were lawful for him to say, as certainly it was, that Justice was not done in his Case, why might not the City say so? Either these Lords ought to be condemned, or they ought to be acquitted; 'tis hard to say Justice is done, when they lie so long in Prison, and are not either acquitted or condemned.

I would



I would not be thought to speak any thing to justify that which is really a Crime; but this is that I say, 'tis not in Law unlawful for us to Petition the King, or address to him: But, my Lord, to take off the edge of this Business, I shall beg leave to read to your Lordship a Speech of the King's, made the 6th of *March* following, and therein any Man may read, and spell, and see how in Substance the Words in our Petition differ from the Words of the King, making those Laws necessary for the Security of himself and the Kingdom. No Man will say, that there were Laws sufficient for the Security of the King and Kingdom, when the King himself speaks of the Necessity of making such ones: So then, those Laws that were preparing received an interruption. There is no such thing said in the Petition, *That the King did interrupt Justice, and the Proceedings of the Parliament*; 'tis an Inference and a Consequence made by Wit and Art, not that the King did interrupt, or intend to interrupt Justice; but it says, by *the Prorogation of the Parliament, the publick Justice received an Interruption*.

Can any Man say this is false? The Charge in the Replication is, *That we did falsely and maliciously say*, what? that which is true, and that which the King had said before, and that which the Lords and Commons said after him, *That 'till those Things were done they were not safe?* and those Things as yet were not done.

My Lord, There is this futher in it, the Petition is set forth *in hac verba*, and therefore I may take any Thing out of it to explain it, and restore it to it self; for this indeed is a very restrained Construction of the Petition.

It says, when this Interruption by the Prorogation was received, *That the King for urgent Causes, and very good Reasons, did Prorogue the Parliament*. It is his Prerogative to do so, and God forbid but he should have it. I think, without doubt, we should be more at a Loss for want of that Prerogative than we can by the use of it; 'tis mine, and I believe every good  
Man's

Man's Opinion, that that Prerogative is very necessary and profitable for us all; but it is the Consequence of it that this Interruption of Justice is received; nay, we are so far from saying that the King did interrupt Justice, or intended it, that we say, we do hope the King's gracious Intentions were only to make Way for the better Concurrence of his Majesty and his Parliament. The King does, *for great Causes*, and best known to himself, who has the Prerogative, *Prorogue the Parliament*; whereby, as a meer Consequence, not as the King's Intention, *the publick Justice is interrupted*: Nay, this we affirm was with a good Intention in the King, *that he might the better be enabled to concur with his Parliament*, as is set forth in the Petition. Can there be any Thing more properly said? 'Tis the greatest Justification of the Prorogation that can be. The King has prorogued the Parliament: What to do? Why, Justice hath in view received an Interruption, but not in the Intention of the King. We know what the meaning of it is, and so we set forth in our very Petition, *it is to gain Time, that he may the better concur with his Parliament*. 'Tis a great Commendation of the King's Purpose, instead of charging him with Injustice, that he did resolve to concur with his Parliament for such ends, and accordingly did Prorogue the Parliament.

Now the *Attorney General* hath put in that it was *ea Intentione*; there is the Sting of the Business to put in those Words, to make that, which we may lawfully speak of it self, to be an Offence; but truly that signifies just nothing: It can never hurt a Thing that is true; it has great Authority in it, if it be applied to a Thing that is unlawful; but if in Substance it be true, and the Thing it self justifiable, those Words make nothing in the Case; and I think I need not argue that Point, but refer my self to the great Case that was in *Westminster-Hall*, and that is the Reversal of the Judgment given in this Court against my Lord *Hollis*, which was a Reversal in Parliament, and is Printed, and the last Impression of Mr. Justice *Coke's* Reports, by Order of Parliament, and there, they ex-  
plode

plode all the Notion of *ea Intentione*, and this Business. A Man speaks Words that he might speak in Parliament (though I know not whether he might or no) but the great Thing is, If Words that in themselves are tolerable to be spoken, you shall not come and say they were spoken with an ill Intention; though, as I shall shew by and by, this hath a kind of Fatality in it, and that is this, That it is done with an ill Mind by a Corporation that hath no Mind at all:

Mr. Attorney General. *Just now you said it had a Mind, and Reason was its Mind.*

Mr. Recorder. I said as my Lord Hobart says, that a By-law to it is a Mind, as Reason is to a Man, but it hath no moral Mind. My Lord, then I say, the Citizens of *London* were indeed at that Time under great Consternation, by Reason of the Conspiracies that had been discovered in Parliament, and in the Courts of Justice; and it had been declared by the late Lord Chancellor at the Trial of the Lord *Stafford*, which your Lordship may very well remember, *That London was burnt by the Papists, and therefore 'twas no Wonder that they were desirous that themselves and the Kingdom should be put into great Security against those Enemies.* This, my Lord, I confess is a tender Point, and I would not speak a Word in't without a Law-Book to back me. I remember that my Lord *Hobart* says, That Zeal and Indignation are fervent Passions. The City of *London* had great Indignation against the Papists for this Conspiracy against the King and Kingdom, and the Religion established by Law. There was no Disaffection in the City at this Time when this Petition was made sure, and I wonder that any Man should say, that knows *London*; and was acquainted with it then, and looks upon this Petition which passed *nemine contradicente*, that they had such an Intention as is insinuated; and pray let him read the Names of the worthy Aldermen that then sat upon the Bench, and the other Names of the Common Council-Men then present, and then let him say, if, without Reflection, the King have more loyal Subjects in the City



City of *London* than these Men were. And do you think if there had been in it any Sedition, or any of those ill Qualities that make up the ill Adverbs which are joined to it in the Replication, not one of all those loyally-dispos'd Men would have spoken against it? But, alas, all of it passed *nemine contradicente*.

My Lord, I say that if the Matter of it be justifiable, as I think it is, then all these Words will signify nothing, if there were never so many more of them: And the presenting and carrying of it to the King, that is no Offence, that is not so much as pretended to be one. And, my Lord, I think it a very harsh Translation of the Word into *Latin*, when the Petition says, That the Parliament's Proceedings, or the publick Justice received an Interruption, to put that Word *Obstructionem* in; truly I think a better Word might have been found to express the soft Expression in the Petition; and they need not have put that hard violent Word *Obstructionem*, when to make English of it they translated it *Interruption*.

But, my Lord, they do admit I say, That the making and presenting of it to the King is not the Offence so much as the publishing of it, by which it is exposed to many others besides. Now to excuse that, the Answer we give is this; and 'tis that which will carry a very reasonable Ground of Justification in it. Certain Citizens that were private Men had petitioned the Common-Council, and thereby they were importuned to make known the desires of the City to the King, and it was reasonable to make known to those Citizens what the Common-Council had done to prevent false Rumours, which we knew were rise enough in those Days; and to shew that there was nothing ill in it, we did Print it, And 'tis also all driving at the Common Interest, at the King's Safety, the Preservation of the Church and the Government established: All this they did desire might be known to these Citizens, and all others that enquired about it; and therefore they printed it, to evidence that there was nothing of ill intended in it. And I do wonder, I must confess, that this Objection

of the publishing of this Petition should be so much insisted upon; for they say, That the Mayor, Commonalty, and Citizens of the City of *London* did it, and say not any Thing of the Common Council that they did Print it: Now they that did vote it, knew it without Printing; and 'tis alledged in the Pleadings, and confessed by the Demurrer, that the Mayor, Commonalty, and Citizens of *London*, that is, the Corporation, consists of above 50,000 Men, which cannot well be intended otherwise. Why then, here is a Petition that is agreed to be well enough lodged as to the Persons that voted it, it being the Liberty of the Subject to petition; and if this had been only presented to the King, though it had been by those 50,000 Men, nay, if it had been by 10,000 Men, who had been the Corporation, it had been well enough, so it had not been printed, but only kept private to themselves: Why then 'tis very strange, that what is known to all *London*, so great a Part of the Kingdom, should be lawful, but it should be heinously unlawful to send the News of it further. It went further than the City of *London*, and therefore 'tis such an Offence as shall be a Forfeiture of the Corporation. My Lord, there is the Case of *Lake and King*, the Petition to the Parliament was scandalous in it self, yet it stood protected, being presented to the Parliament; and it was lawful to Print it, provided it were delivered to a Committee of Parliament, or only to those that were Members; though 'tis said there, that the Printing of it is a great Publishing, for the Composers, Correctors, and other Persons that are concerned in the Press read every Letter of it. But it was answered, That Printing is but a more expeditious Way of Writing; and if he had employed 20 Clerks, it had been a greater Publishing than three or four Printers. Possibly the Printers might not read it, or not be able to read it well, or not all of them read it at that Time.

Now here my Lord, Sure it was lawful to acquaint the Citizens what they had done, if you take it to be the Act of the Common Council, and the Common Council

Council to be the Representative of the City. It was always agreed by the House of Commons, that any Member might send the Votes to those that sent them thither, and whom they represented; they have blamed indeed Men for sending the Debates, but never for communicating the Votes: And what they may do by Writing, that they may do by Printing. Why then might not the Citizens of *London*, who by Custom choose those Common Council-men, well desire to know, and might well know what they had done; and then what they might do by Writing they might by Printing; for that is but another Way, though a more suitable and compendious Way of exhibiting any Thing that you would have go to many. And if it be lawful to impart it to all the City, and all the City does know it, though it does go further 'tis no matter; for what is known to *London*, may very well be known to all the Nation besides without Offence, if it did go further. Besides, it shall never be intended it was published further, or that any others knew of it; for 'tis said to be published in the Parish of *St. Michael Bassishaw*, in the Ward of *Bassishaw*, and that is in *London*, to the Citizens of *London*; and so they only talked of it amongst themselves. Besides, the main Thing I go upon, which is, if there be no ill in the Thing it self, the *ea intentione* can make no Crime by a bare Affirmation, which we deny; and if it might be well said or done, it is lawful to Print it, and the Publication is no Offence neither.

The next Point I come to is this, *That a Corporation cannot possibly commit a capital Crime, or any other Crime against the Peace*: And I shall offer this Dilemma, Either it was done seditiously or not; if not, then there is no sufficient Assignment of a Cause of Forfeiture; if it were, then 'tis a Crime, for which the Offender is indictable; and that I say is absolutely impossible for a Corporation to be guilty of.

As it is more fully said by *Pigott*, in 21 E. IV. fol. 13. b. So says *Catesby* in the same Book. In a Writ brought against them no *Capias* shall issue. And all along it is the Tenor of the whole Case, that



that a Corporation cannot commit Treason, or any other Crime. But the Reason of the Thing is above any Authority. Suppose that they under their Common Seal should commit Treason, and you bring an Indictment of Treason against the Mayor, Commonalty, and Citizens of the City of London, what Judgment shall be given against them in their corporate Capacity? What? it shall be that *Suspendatur per collum Corpus politicum*. And then, what Execution shall be done upon that Sentence? What must they hang up the Common Seal? Nothing else you can do can affect them, but in their private Capacity, there they may be punished as single Persons.

A Penal Statute says, That he or she that offends against the Law shall forfeit so much, or incur such a Penalty: Is a Corporation Male or Female? that it should come under such a Provision; but the real Reason of the Law is this, it is a civil Being, it is *Ens civile*, it is *Corpus politicum*, it hath civil Qualities, but it hath no moral Qualities, and all Offences consist in the Immorality of them, and there must be Malice to make that Immorality. No Words or Acts are Treason or Felony, unless there be a traiterous Mind, or a felonious Mind, and therefore a Madman cannot be guilty of Treason or Felony.

A Corporation is but a Name, an *Ens rationis*, a Thing that cannot see or be seen; and my Lord Dyer says in *Moor* 68. that he never saw that a Corporation could be bound in a Recognizance or Statute Merchant; and why? because it must be acknowledged in Person. In all Crimes the Offender must appear in Person, and plead in Person, and suffer in Person; but you can never bring the Mayor, Commonalty, and Citizens into Gaol, to appear and plead to an Indictment to receive Judgment, or suffer Execution. Can a Body Politick that is invisible appear in Person? Though I grant when those Persons, met in their corporate Capacity, go out of their corporate Business and commit Treason or Felony, the Crime does not *egredi personas*, every one of them is a Traitor or a Felon; and notwithstanding they appeared there under the Pretence

Pretence of a Corporation, yet they are all liable in their private several Capacities, every one of them must be indicted personally, and suffer personally: For when they go about to do such a Thing, 'tis out of the Business of the Corporation, and they must answer for their own particular Offences.

I shall conclude all my Discourse of this kind with an Observation I have made upon the 19 H. VII. c. And 'tis the Statute that makes Provision against Corporations, that made By-laws against the Prerogative. That Statute says, that some Corporations did so; and that those that do so shall forfeit for so doing for every Offence 40 l. unless they are confirmed by the Chancellor and Treasurer, and chief Justices, or any three of them. Now to what purpose was this Statute made? If the making of an ill By-law should be a Forfeiture of the being of a Corporation? How vainly did the King and Parliament employ themselves to make a Statute that a Corporation should forfeit 40 l. for such an Offence? If they might have had a *Quo Warranto*, and thereby destroyed the Corporation. So that I take it to be a direct Judgment of the Parliament in that Case, that no Corporation should or could be forfeited for the making any By-law that was irregular, though it were even against the King's Prerogative. And therefore no Corporation is to be considered as a Corporation, but only when it acts according to the Capacity allowed to it; and as to the rest, it all turns into their private Capacity, but it affects not the Body, nor hath any such Relation as to bind it. Then all the Question here is, Whether there shall be such a Person *in Esse* as this Corporation of London?

*Magna Charta* and all the other Acts that have gone in Confirmation of it, shew the great Care of the Government in all Ages to preserve the City of London, and I look upon them as so many Declarations of the Immortality of it, and all other Corporations. *Magna Charta* does not confirm our Being, but our Liberties and Privileges; it says, That the City of London shall have all its Liberties, it confirms its Leets, its Mar-

kets: and all those Things, that is, it confirms all that it has; it has not saved indeed, if a Corporation indeed be built upon a Corporation; but that particular Liberty may be destroyed, as that of *Bridewel*, and the like, but it does more than confirm its Being, for it does implicitly declare, That that was impossible to be forfeited: They confirm what needed confirmation; but for their Being there was no need of that, it only confirmed the supervenient Liberties, without which it might be a Corporation; but as to its Being, it meddled not with that: And if it were not so, it were an unreasonable Thing that we should have so many Acts of Parliament that give such particular Powers to the Mayor and Commonalty of *London*; and scarce any Act of Parliament that relates to the Publick, but *London* is mentioned, and taken care of in it. Are not all these Declarations that *London* should stand for ever?

The Act for Administration hath a Proviso, that says it shall not extend to *London*. And I think the King and the Government, or those you call so, are more concerned to preserve *London*, than all the Persons that are in it.

All Innovations (as this must certainly be a great one) are dangerous; this Frame of Government has lasted and been preserved for many Hundred of Years, and I hope will continue as long as the World endures. And therefore for these Reasons I do pray that these Liberties may be adjudged to us, and we may be dismissed out of this Court.

Then the Lord Chief Justice deferred any further hearing of this matter to the first Friday of the same Term.



De Termino Paschæ, Anno Regni Regis  
Car. II. 35. Annoque Dom. 1683.

In Banco Regis.

Sir ROBERT SAWYER,

Attorney General for the KING.

REX versus Major, Cives, & Communitat' London',  
Quo Warranto.

**T**HIS Case between the *KING* and the *CITY*, must be acknowledged to be a Case of Importance, both as it refers to the general Government of the Kingdom, and that of the City in particular.

I forbear to trouble the Court again with opening the whole pleadings, but shall take the Case as it hath been opened.

Wherein the general Question is, *Whether by any Pleadings, it appears to the Court, That the Mayor, Citizens and Commonalty of London, have forfeited their Right of being and acting as a Body Politick, and subjected that Right to be seized into the King's hands?*

Before we can arrive at the main Question, certain preliminary Points have been moved and debated. See *Mr. Recorder's Exceptions to the Form of Suit, Pleadings and Matter thereof, as before.* But the Authorities cited by him argue very little to this purpose; for, how little soever they seem to make for him as to the Point he produceth them, yet flatly make against him in some other material Point.

Not

Not only by his Authorities, but his Objections themselves, to the Form of the Information, admit, That a Corporation is in its Nature separable by Judgment of Ouster against the particular Members by their natural Names.

The opinion of my Lord *Hales*, in his Common Place Book, *Quo Warranto* fol. 168. pl. 7. 'tis only a short reference to the Cases of *Cusack*, and others of *Ireland*; and *Farrer*, and others of the *Virginia* Company.

Which Cases (as also that of *Fijber*, *Helden*, and others of the Borough of *Hebmerly*; the Case of the *Musicians* and the *Bermudas* Company; and the other Cases cited by Mr. Recorder) do fully prove, That Corporations are Franchises, and may be questioned and impeached in the very point of being Corporations by Suits of *Quo Warranto*.

And they do prove, That the Suit may be brought against some particular Members by Name.

And against the rest of the Corporations by the general words; as, *Et alios Liberos homines, & alios Burgenses, & alios de Fraternitate*.

And these general words are material and operative, for a Judgment thereupon binds the whole. *Pasch. 17. Jac. Rot. 2.*

I shall therefore apply these answers to the objection warranted by precedents of Law.

That wherever many Persons are jointly concerned in charge or discharge, and the King hath cause of Suit against them, he may sue them, either by naming some particular Persons, with a general Reference to others; or he may sue only by a common name of description without admitting them to be a Corporation, especially where the general Name sufficiently describes the Persons who took this Corporation.

And this as well for offences at Common Law, as against Statute Laws.

*Mich. 27. Eliz. Rot. 15. 23. R. A Quo Warranto* against the Inhabitants of *Denbigh*, for using several Liberties, as to hold a Court of Pleas before the Bayly, and chusing two Aldermen, &c. upon Plea  
and

and Demurrer, Judgment of Seizure is given, & *quod Inhabitantes Capiantur. Co. Ent. 537.*

For, if by such general Names in the King's Grant they may take, there can no reason be assigned, why they may not be sued by the same Name they took by, when they are questioned for this Right, be the Name of Corporation the same or any other.

My last answer is, that where the King proceeds for a Forfeiture, upon Breach of Condition, the Right is not determined till Judgment of Seizure; for *its* a mistaken ground, that Forfeitures to all purposes relate to the time of the Forfeiture: For as to Copyhold Estates, Offices and Liberties in Case of the King, which may be determined by Breaches of Fact; they are not avoided till the Fact, which causes the Forfeiture, be found upon Record: So that the Suit is well grounded against them, by the Name of Mayor, Citizens, and Commonalty, for they continue such till Seizure, and till then are a Corporation *de Facto*.

And the objections to the Replication, are in effect already answered, by what I have said. Only I shall add, That the Traverse of the Title by Prescription is pursuant to the supposal of the Information, which supposeth they have usurped that very Liberty, and puts them upon shewing their Title by that Name. And put Case they have a good Title by that Name by this Patent, or by Act of Parliament, and they will waive it, and set up a Title by Prescription; and this was done in the Case of *Canterbury* before, and in the Case of *New Malton*.

Whereupon the very same Information as ours, against the Bailiff and Burgeesses of *New Malton in Com. Ebor.* they pleaded their Title to their Corporation, by Prescription, and Issue taken, and it proves fatal to them, for Verdict and Judgment went against them.

The next thing to be considered is:

1. Whether the Right of Incorporation of being a Body Politick, may be forfeited or seized into the King's hands?

2. Ad-



2. Admitting it may be, then, Whether the Acts of Common-Council, or the Members assembled in Common-Council, which is all one, may work such Forfeiture or cause of Seizure. Now

This Right of a Corporation aggregate of many, is a right granted to many natural Persons, to be, have, enjoy and act as one Body and Person.

It confers *Jus persone & personam efficit*, which our Law Books express by the Names of *Persona Politica & Corpus Politicum*, and as such is capable of all Civil Rights both *habendi & agendi*.

So that it is something more than a Notion or meer name : *Corpus Corporatum* fully expresseth it ; A body made up of several visible Bodies, *in unum collecta & vinculo Juris unita*.

And the Question will rest only upon this, What Arts, or what Omissions of the natural Persons will affect this Right, wherein all the Members of the Body have an interest.

This Right is meerly of human Institution, and therefore as to its birth, form, extent or limits, is directed and supported by the Municipal Laws of each Country, and therefore for that Reason is styled by our Books, *Political*.

By the Constitution of our Laws this Right, as all Jurisdictions and Franchises, are lodged in the Crown, and thence only are derived.

*Bracton* upon the Question, *Quis concedere possit libertates, & quibus, & qualiter transferuntur*. Thus resolves it :

*Dominus Rex habet omnia Jura in manu sua, quæ ad Coronam & Regalem pertinent potestatem & Regni gubernaculum ; habet etiam Justitiam & Judicium, quæ sunt Jurisdictiones ; habet etiam ea quæ ad pacem pertinent. Ea quæ dicuntur Privilegia, licet pertineant ad Coronam, possunt ad privatas personas transferri, sed de gratia ipsius Regis speciali.*

A Title by Prescription always supposeth a Grant in or out of Parliament ; and is allowed by Law for  
sup-

supporting long Possessions, grounded upon ancient Grants before time out of memory.

But by what Title soever these or any other Rights are derived down, whether Grant or Prescription, their Natures remain the same.

And they are governed by the same Rules of Law, and are equally subject to the like civil Accidents the one as well as the other.

The general intent and end of all Civil Incorporations, is in order to better Government.

Government relates either principally to Persons or Things :

That which relates to Things, is called Special Government ; because limited to the managery of particular Things ; as, Trade, Charity, and such like ; for the Government whereof several Companies and Corporations for Trade were erected, and several Hospitals and Houses for Charities.

Of this Nature are the *Trinity-Houses* for regulating Navigation ; and so the College of Physicians ; &c. and a multitude of other special Corporations in *England*.

The only end of erecting these special Corporations, was for the better Order and Government of the several Matters specially committed to their Care.

The Corporations for general Government only, are those of Cities and Towns, Major and Citizens, Mayor and Burgeses, Major and Commonalty, and such like.

The Corporations, as they are for the Government of Men only, having nothing specially committed to their Care upon the Incorporation ; so they are erected for no other end or purpose than Government.

This appears by the Charters of Creation, both ancient and modern ; the Form is much the same, which is after this manner :

*Nos volentes, quod de cetero in perpetuum in eadem Civitate, Burgo, aut Villa [as the Case is] Libertat' & Precinct' ejusdem habeatur unus certus & indubitatus modus pro Custodia Pacis nostræ, ac pro bono regimine & guber-*

*Gubernatione Civitatis, Burgi & Villa ac Populi ibidem Inhabitantium & aliorum illic confluentium : Et quod Civitas, Burgus, aut Villa, Pace concordia & quiet' sint, ad formidinem & terrorem Malorum delinquentium, & in premium bonorum. Ac etiam ut Pax nostra ceteraque facta Justitia & bono Regimine ibidem, melius custodiri valeant & possint.*

These are the grounds upon which Corporations are erected.

The Limits and Extents of their Corporations, and Jurisdiction are limited by their Charters.

So the power of making By-laws, which is incident to a Corporation, is only for better Government: And by that Rule they must be judged.

And therefore if any learned Men have used such hyperbolical Expressions, as invisible, immortal, impeccable and therefore imparible: with a large jargon of *non Ens* and *Ens Rationis*, applicable to a Body Corporate, most certainly they never intended the Citizens of London, or other populous Town or City within England, of whom the Question is. But of some Corporation in *Eutopia*, where the Citizens neither eat, drink or die; or at least of some Corporation, that never had any other existence but in the Brain. Yet for proof

The Authorities cited were, *Co. 1. Inst. 9. Pulstroff 233. 21. Ed. 4. 13.* To which I reply:

If this be any Authority, it is from the Immortality of many Persons capable, for they are the Persons who are said, in Judgment of Law not to die.

Where my Lord Cook's sense, compared with his *1 Inst. 13. & fol. 102.* is plain, that these natural Persons, though capable to take in their natural Capacities jointly, which the Law would adjudge an Estate for lives; yet the Grant being made to them by their Corporate Name, they take in that Capacity, and the Grant not determinable upon their Death, but shall continue with the Corporation whilst it continueth.

The next Argument produced by Mr. Recorder was, *That a Corporation could not be surrendered.*

Upon



Upon which Head, I will not entertain your Time at present, for these reasons,

1. Because it was not to the Question, and that Mr. Recorder admits that many things may be forfeited, which cannot be surrendred.

2. Because the point may come judicially into debate, some dislike having been taken to surrenders lately made, and I chose to refer myself to that Question which comes properly in Judgment.

3. But my last and principal reason is, that he hath produced no Authority of Law, to make good his assertion.

The last topick of Argument by which Mr. Recorder concluded, a Corporation cannot be forfeited, is a *non user*; because never any Corporation was forfeited, nor did it ever enter into any man's imagination, that it could be forfeited.

And Mr. Solicitor hath already made it out with great Learning, by several instances of Corporations seized into the King's hands for Forfeitures committed by them: some by Judgments, others by Inquisitions finding those Forfeitures.

But Mr. Recorder with one blast hath blown them all away, with his distinction between *Seizures* and *Forfeitures*; But

Every Sentence almost of this Answer is contrary to all the Books and Records of Law, that I know of.

For tho' I admit the Case of the *Quo Warranto* against *Roger Mortimer* cited 2 *Edw.* 3. 29. in *Strata mecella*, to be good Law, it makes nothing to the purpose to prove the difference.

I will endeavour to state the matter, how it stands upon *Seizures* or *Liberties*:

1. *Liberties* may be seized into the King's hands by award of the Court, which in that Book is styled, *Put into the King's hands*; and that in two Cases principally:

1. Where the Defendants are summoned to appear at the King's Suit, and make defaults.

X

2. Where

2. Where a Contempt appears upon Record, in returning or executing the King's Process.

The latter is found in 2 *Ed. 4. fo. 5.* and the former is in 15 *Edw. 4. 6.* in *Quo Warranto*: for the Statute of *Quo Warranto* directs the King's Courts to proceed in *Quo Warranto*, as in the *Eyre*. Thus,

*Trin. 16 Jac. Brigg's Case*, in *Quo Warranto*, the Defendant appeared not at the Day; the Liberties were seized, *Roll. Rep. 2 part fo. 46.*

*Trin. 17 Jac. Roll 2. part 92.* *Quo Warranto* against the Mayor and Burgesses of *Wygmores in Com. Lancast.* upon default made at the Day, it was agreed by the Court, That if they shewed not good cause to excuse their Default, their Liberties should be seized into the King's hands.

Where Seizure is by award of the Court for a Contempt in Court. The Court (if the Defendants come in time, and pray it) may deliver them the possession upon Replevin; and this by the new Statute *de Quo Warranto*, 30 *Ed. 1.*

Before that Statute the general Writ of Summons to answer to Liberties, as also the particular Writs of Summons upon the King's special Suits, superseded the use of any Liberty till the Justices meet on the Day of Return.

But this Statute not limiting any time for his appearance, or to reply; that remained as it did before upon the old Statute of *Quo Warranto*, 18 *Edw. 1.* which refers to the practice in *Eyre*; so that if the Party did not Replevin in time, the former seizure would amount to a Seizure after Judgment by default, which is final.

2. Again, Liberties are seized into the King's hands by Judgment of Court in the Kings Suits, whether the Judgment be by default or *Nihil dicit*; upon Demurrer or Issue tryed, this Judgment is Final, and the Court cannot admit to a Fine, or award Restitution, unless upon Error brought.

What was intended by a Judgment of Ouster in that Book, and in what cases by the course of the King's

King's Courts it ought to be, will best appear by an ancient Rule, taken and agreed by the Judges in *Edward the Fourth's* time, before they were promiscuously used. The Rule is thus :

Where it clearly appears to the Court, That where a Liberty is usurpt by wrong, and upon no Title, either by the King's Grant, or otherwise, there Judgment only of Ouster shall be entred.

But where it appears, that the King or his Ancestors have once granted a Liberty, and the Liberty be misused, Judgment of Seizure into the King's hands shall be given.

But that which never came thence, but meerly usurpt upon him, shall be vacated, and by Judgment of Law declared null and void.

And agreeable to these Rules, all the Judgments which I have met with have been given.

And this course hath been found most beneficial to the subject, who though by Forfeiture, Mispleading, or Default, he may lose his Liberty, may have recourse to the King's mercy for restitution

3. In the last place there are other Seizures, which are by Process by Commission of Enquiry upon Inquisition found, or upon Presentment ; and such are always for Forfeitures, upon faults found in breach of Conditions annexed by Law.

That the King is in possession of all incorporeal Rights by such Seizures upon Inquisition, appears by the Resolution in *Sir George Reynell's Case*.

In these Cases of Seizure for Forfeitures, no Court, or the Lord of the Liberty, whether Body Politick or Natural, can admit to a Fine, and thereupon to make Restitution ; neither is there any other way by Law to take off the King's hands but by direct traverse of the Fact, if the Fact found be not true ; or, by Demurrer, if the Fact found be not in Law sufficient cause of Forfeiture.

The Town of *Hereford* was seized into the King's hands, by the Sheriff of the County, for holding of



a Market, contrary to the King's prohibition. *Rot. Clai. so, 15 H. 3. memb. 7. Hales Lib. K. fol. 41.*

Where I could shew, That the special *Capias* of *Capias in manus Regis*, is as proper an Execution against the Body Politick, as the common *Capias* against the Body Natural: And in Judgment of Law, the politick Person is as properly said *Civiliter mortua* by Judgment of Seizure, as the natural Person is said *Civiliter mortua* by Judgment of any Attainder for any Capital Offence.

My way thus cleared, I will lay down the Grounds and Reasons of Law, upon which I conceive with some clearness, That Corporations may be forfeited and seized into the King's hands, as well as Offices or any other Liberties whatsoever; and then shall instance in some further Precedents, whereby it will appear, they have been forfeited and seized.

My Grounds are principally Two:

1. That there is a Condition in Law annexed to the Franchise of a Corporation upon its first Erection, as strong, if not stronger than to any other Franchise or Liberty whatsoever.
2. That there is nothing extraordinary or peculiar in the Nature of a Corporation, to hinder taking advantage of the Condition broken, or to exempt it from the common Condition of other Liberties in Consideration of Law.

As to the first:

Wherever the Law introduceth or alloweth any Right upon a Trust, or for the benefit of the publick, it implies a Condition, That the Trust be discharged, and the ends of its Creation complied with.

And the Franchise of a Corporation is granted upon a far greater Trust and Confidence, than any other Liberty whatsoever, as I have already shewn; viz. For the Government and Peace of the Inhabitants, and others coming within the Liberty of the Franchise, in subordination to the general Government

ment of the King : And that they are intrusted therewith by the King upon the publick account of Government only, and not for any private Respect or Benefit whatsoever.

So that a *Non-user* will be a good Cause of dissolving a Corporation, 21 *Edw.* 4. 14. And if *Non-user* in some cases will forfeit a Corporate Right, no shadow of Reason can be offered, why *Misuser* or *Abuser*, will not do it as well as in all Liberties.

For as greater the Trust, or stronger the Condition ; so an *Abuser* of that Trust is a far greater breach of the Condition, than a simple *Non-user*.

Single Bodies Politick have indisputably such Conditions annexed to them upon the Trust of their Creation ; and the breach of the Condition is in Law good cause of separating the Politick Person from the Natural, by Deprivation, which in the Civil Law, is of the same effect as Judgment of *Ouster* by the Common Law ; and their Suspension hath some resemblance with our Seizures into the King's hands.

If Mr. Recorder had but observed the different Laws that Spiritual Corporations and Civil Corporations are guided by, he would not have raised his wonder to that height, That *Quo Warranto's* were never brought against Monasteries, Bishops, Deans and Chapters, Parsons and Vicars ; and that bringing it now against the City of *London*, threatned the whole Hierarchy of the Church.

When (with his leave) all these, if they offend, may by Law lose their Corporate Right, which may be severed from them by a certain Instrument called *Deprivation*, the Edge of which is no sharper than Judgment of Seizure, or *Ouster* in our Law.

I cannot see how the Counsel for the City can evade the force of Sir *James Bagg's* Case, unless it be by a Distinction or two.

1. First, Between every Man, and all Men ; every Man may forfeit his part, but all Men cannot the whole : Just such another Distinction as was made to all the Precedents between Seizures and Forfeitures.

2. The other Distinction seems to have a little more Colour, and it is between the King and the Corporation.

*The Corporation are intrusted by Law with power over their Members to remove them for acting against their Duty, but the King cannot Disfranchise any particular Member; and if he cannot Disfranchise any one Member, much less can he all Members, or seize their Liberties into his hands, which in Law amounts to a Disfranchisement of all the Members.*

I answer, the King may do both the one and the other, and in saying the King can do it, I mean in course of Law.

1. The King doth do it, when the subordinate Ministers and Governors within the Corporation do it; for they do it as his Ministers in Execution of his Laws, and 'tis their Duty to do it, according to the Trust he hath reposed in them, and the power he gave them.

If the King grant them express Authority to remove, they may remove the offender before Conviction at Law.

But if no express power be granted, a Conviction at Law must be first had; and the Judgment of the Law directs their Duty, and they are accountable herein to the King in his Courts of Law; if they mistake the Law and displace a Member convicted of an offence, which amounts not to a Forfeiture, the Party shall be restored by *Mandamus*.

2. The King may do it by commanding them to do it by his Writ out of the Court, where the Conviction remains, or out of the Chancery, as he may the Coroner of the County, Mayor and other Officers, as the Precedents have been.

A Writ 13 Co. to remove the Mayor of *Berwick*.

So where an Alderman is dead, The King may send his *Mandamus* to chuse another, as done in the Case of *Lancester*, P. 8. Car. 1. 23. R. Hale. Corporat. Pl. 5.

If



If they yield not obedience, they may be fined, or may incur the Forfeiture of their Liberties, as the Case may require.

3. In case the Corporation cannot do Justice in punishing and displacing the offenders, either because the Majority are offenders, or favouring, or abetting the offenders, there being a failure of Justice in the Franchise which the Law will not permit, by Judgment of Law the City or *Ville*, shall be restored to the Government and Jurisdiction of the Common Law, by seizure of the Franchise into the King's hands.

4. Failure of Justice and the not suppressing and punishing of notorious Riots and Tumults, have been adjudged good Causes of Forfeiture of Liberties, and the Plea of *Non Ability*, to suppress them, disallowed as any cause of excuse, as to the point of Forfeitures of the Liberties, which doth and will appear by the Precedents insisted on by Mr. Solicitor; and what I shall superadd.

The greater the Trust of any Member of the Corporation is, the stricter is the Condition; as where any of the Members are chosen into any places which more immediately concern the good Government of the Corporation, the less Crime will be the cause of his removal than will be of Disfranchisement of a private Member, as in the Case of an Alderman.

It was resolved, for being a Drunkard and Haunter of Taverns, he being a Magistrate more immediately entrusted with the Government was cause of removal; though he have Freehold in the place, yet it is upon special Trust and Confidence. *Taylor's Case Trin. 14. Jac. B. R. Roll Restitution 455. pl. 1.*

The Law will be the same if the Magistrate gives the least encouragement to popular Tumults, or frequent Conventicles, and unlawful Assemblies.

Secondly, My other Ground is,

*That there is nothing extraordinary or particular in the Nature of Corporations aggregate, to exempt them from the Condition of single Corporations, or of other Liberties: If there be, it hath not yet been shewn.*

It must arise either from the Number of the Persons who take, and are the Subjects of this Liberty, because they are many; or from the Right conferred upon them.

The Number of the Persons constituting this Body, contributes nothing towards the Indissolubility thereof, pleaded for, as I have shewn before.

By the separation of the Members one from the other, which is called a Civil Death; and in cases of Civil Death, the separating the Liberty from the Person, or the Persons from the Liberty, is all one.

Secondly, *From the Nature of the Right or Franchise, as little can be infer'd for this inseparable Union pretended.*

First, in its Creation, it is meerly by the Policy of Man, and the Rule is taken in *Calvin's Case*, 7 Co. fo. 25. That what is by the Law of Man, may be altered. Mortal Beings cannot confer Immortality.

Secondly, As to *the Nature of this Right*, wherever any Persons take in another's Capacity than their own, it is always upon Trust, as Executors or Administrators, Churchwardens, &c. and all single Corporations: And where the Law creates the Trust, the Law provides remedy, if the Trust be broken, for putting the Trust into safer hands.

Mr. Recorder hath affirmed it with great assurance, *That never any, till this Suit, ever so much as thought of resuming Corporations, which are subordinate Governments.*

I shall only request of him, and of the other Gentlemen of the Council, to read the two Forfeitures of the City of *Sandwich*, the first p. 9. *Edw. 1. Rot. Maius*, 35. *Kane*. Amongst the Plea Rolls in the Treasury or Tally-Office. And the other is in *Pasch. 3 Edw. 1. Kane* 54. *Dorso Rot. Majus*.

Then the Constable went in Person, and after some time suppressed the Tumult, and upon their submission, the Commonalty prayed the Constable would deliver

deliver their Submission to the King, which they then delivered to him under their Common Seal; and accordingly was delivered by the Constable to the King and Counsel, and adjourned into Parliament.

And the Mayor, Bailiffs, and Commonalty ordered to be there at a certain day, before the King and his Council in Parliament. Upon hearing thereof in the presence of the Mayor and Bailiffs for the whole Commonalty, Judgment is thus entred upon that Record.

*Consideratum fuit per Dominum Regem & consilium suum in Parlamento, quod Majoritas & Libertas de Sandwich pro prædict. Transgressionibus in manus Regis Capiatur & tradatur in custodia Constabulario de Dover, ad disponendum de prædict. Villa Secundum communem Legem & Consuetudinem Regni, non obstante aliqua libertate.*

It evidently appears both by the form and matter of it, that that form was Judicial and not Legislative, and agreeable to the forms of Judgment, in the other Common Law Courts, and in our Law Books.

Here is a Judgment only of seizure upon a Forfeiture, yet it amounted to a real ouster; for the Town was actually divested of the Liberty, and delivered up to the Government of the Common Law.

For *Capiatur Majoritas & libertas de Sandwich in Manus Regis: tradatur in Custodia Constabulario suo*, who is the Common Law Officer, within the Cinque Ports; and is no more than leaving the Town to the Government of the Common Law; which is fuller explained by the subsequent Words of *disponendum de villa secundum Legem & consuetudinem Regni*. And it appears by this Record, that there is a difference between the Liberty and the *Ville*, though sometimes *Ville* is used for the Liberty of the *Ville*; but here the Mayoralty and the Liberty are seized, and the *Ville* delivered over to the Common Law Officer.

The next Precedent I insist upon is that recited by Mr. Recorder, the Case of the Town of Cambridge, but



but lamentably defaced by my Lord Coke's marginal Note, and Mr. Recorder's avertment, that by the Record it appears to have been by common Consent of Parliament. I rather insist upon this, for that Mr. Recorder hath acknowledged its force, that it workt upon the corporate Right, and was upon a Forfeiture, but lays the force of it in its being an Act of Parliament.

When in truth it is a plain Judgment of a Court of Law, and it appears by the Record it was no Act of Parliament.

Mr. Recorder cited the Record, 8 R. 2. No. 11. 4. *Inst.* 228. and 'tis probable, Mr. Recorder lookt no further than that Book for it: In the Margin it is so cited, but miscited; yet in the Body of the Book, in putting the Case it is truly cited; for the Record is, 8 R. 2. 45. to 66. and it is evident by the marginal Note, and my Lord Coke's saying it was the common consent, misguided Mr. Recorder, to affirm it to be an Act of Parliament; when the contrary appears by the Record.

The complaint to the King and his Counsel in Parliament against the Town of *Cambridge*, was for a great Riot committed, and an Assault upon the University; and the fact in substance is the same as related in the fourth Institutes.

It was prosecuted at two Suits, the one against the late Mayor and Bailiffs, who were at the time of the Riot in their natural capacity; the other against the Mayor, Bailiffs and Commonalty in their corporate Capacity; the Writs returnable *coram nobis & concilio nostro*.

The former Mayor and Bailiffs appear, and plead in their natural Capacity, that they were neither assenting nor aiding to the Riot; neither did or said any thing, that might turn to the damage of the University, unless only by Coaction and outrageous Compulsion: And there seems to have been no further proceedings in that Suit.

Upon the other Writ the Mayor, Bailiffs and Commonalty appear and pray they may have a Copy of the Articles,

Articles, which were read to them, and Council allowed to them, and time to answer, and such answer was returned as is mentioned in the 4th *Inst.*

But in the Record, it is said it was answered by the Court, and that the Court told them that at present they should not be put to answer to the Crime, (which must be in order to a Fine) but only touching their Liberties.

Then touching their Liberties, they put in a Plea by their Council, to the jurisdiction of the Court, which is omitted in my *Lord Cooke*; only he saith after many dilatory shifts and subterfuges following therein, the Court over-rul'd the Plea to the jurisdiction, and rul'd them to answer in chief, and if not, Judgment should be entred by *Nilil dicit.*

They then pleaded a frivolous Plea, partly not guilty, partly in excuse; and the King's Serjeant replied, and the Plea held naught. Thereupon they submitted as to the Franchise to the King's Grace, saving that it might be no conclusion to them, if they should be called in question for the Crime.

Whereupon Judgment of Seizure was only given: The Words of the Record say thus,

*Nostre Seignior le Roy de Assent des Prelates & Seigneurs en cest Parliament fist seiser la dit Franchise en sa maine come forseit pur la.ditz Causes.*

Throughout the Record it appears by all the proceedings they were Judicial, but the Plea to the Jurisdiction of the Court, and the Judgment by the King and Lords, only are demonstrations it was no Act of Parliament, nor adjudged by the Legislative Power, but by a Court of Law.

It appears upon the same Record, that the King granted several of the particulars which were seized to the University, who enjoy them to this Day.

*Et la Remnante de la Franchise de la dit Ville* the King granted to the Mayor and Bailiffs, to hold of him and his Heirs, at the ancient Rent of 101 Marks.

33 Ed. 1. The Liberty of the City of *Winchester* seized into the King's hands by Judgment of the King and Lords, for suffering a Hostage of *Baion*, who was committed to their charge by the King for safe custody, to escape, to the King's great damage.

The Writ of seizure is directed to the Sheriff of the County, *quod pradiſt. Civitatem Wintonia & Libertatem ejusdem Civitatis, cum omnibus ad eas tangentibus sine dilatione Capiat in manum Regis, & eas salvo Custodiat, donec Rex aliud praceperit.* Whereby the Franchise being seized, the Men of the City are put under the Government of the Common Law Officer.

Afterwards the City compounded with the King for 500 Marks, and then the King *reddidit eiſdem Majori & Civibus Civitat. & Libertat. pradiſt. habend. & tenendum in forma qua eas tenuerunt ante Captionem earundem in Manus Regis,* and Letters Patents of restitution granted, and a Writ of restitution directed to the Sheriff.

These were Judgments by the King and Lords in Parliament, upon Forfeitures, and were Judgments of Seizure only, according to the settled Rule and Practice in the Common Law Courts.

*Mich. 18. Ed. 3. Rot. 161. B. R.* in the Treasury or Tally Office.

A Judgment of the *King's-Bench*, against the Town of *Ipswich*, upon a Forfeiture.

The Bailiffs of *Ipswich* are impleaded by the King, upon a special Information, reciting that in the *King's-Bench*, sitting there, several Malefactors were Indicted for the Death of one *John Holtby*, and that many of the said Town, *tam de Majoribus quam de Mediocribus*, did comfort and encourage the Felons after the Felony committed, and treated and entertained them with Viands and great Joy.

When the Mayor and Bailiffs in open Court, surrendered their Staffs of Office.

This Judgment is agreeable to those of the City of *Norwich* and *Oxford* in Parliament, and of Seizure only.

R.



*R. Claus. 7. Johan<sup>s</sup> Memb. 24. Rot. Fin<sup>s</sup> Memb. 10.*  
The Case is mentioned *Roll. prerogative, fol. 204.*

21 *H. 6.* The Case is cited by Mr. *Noy*, in the Case of the City of *London*, concerning the Death of Dr. *Lamb*, *Cro. Car. 255.*

The Liberties of *Oxford* were seized, 32 *H. 3.* the Seizure was for a Riot committed, *Rot. Claus. 29 Ed. 3. M. 21.*

In all these instances restitution was never made by the Court but by the special Grace of the King, after submission to him, and upon such Terms as he was pleased to accept; and in some Cases was pleased to restore them to the whole; in other Cases, but to the part of the Liberties.

*I will give some instances where the Liberty of a Body Politick hath been seized by a Quo Warranto, against them by the incorporate Name.*

*Fitzh. Avovery 129.* In the *Iter of Lancaster*, a *Quo Warranto* against the Bailiffs and Commonalty of *Lancaster*; their Franchise was seized into the King's hands, as forfeited.

The same is to be observed of *New Radnor*, and of *New Malton*, *Trin. 6 Jac.* 'Tis brought against the Bailiffs and Burgessees of *New Malton*, and the Form of the Information is the very same with this against the City of *London*.

They plead by their corporate Name, and entitle themselves to the Liberty by Prescription; and Verdict and Judgment against them by their corporate Name of *Seizure* only, that the Liberty be taken and seized into the King's hands; and which is more, the *Capiantur pro Fine* against them, is entred against them by the corporate Name of *Balivi & Burgenses*, though the Corporation by the Seizure was dissolved; and the reason no doubt was, That that general Name was a sufficient description of the Persons who were liable to the Fine for their Usurpation.

This Town lies under the weight of that Judgment to this day, and are no Corporation, and being opposed by the Interest of the Lord *Eure*, who prosecuted

cured that *Quo Warranto*, did never obtain any Restitution nor Regrant. The like is verified, in the Case of *Berkhamstead in Com. Hertford*; they appeared, and Judgment *pro defectu responsi* given of Seizure, *Pasch. 16 Car. 2.*

And therefore there is no difference where the Liberty is lost upon a defective Claim or Mispleading, or for a Forfeiture in *Quo Warranto*; the Judgment is the same of *Capias in manus*; and it is all one whether the Cause of Forfeiture be found by a Jury, or confessed upon the Pleadings in a *Quo Warranto*.

*The second Point.* The next preliminary Point which was moved, is, *Whether the Acts of Common Council be the Acts of the Corporation, and do oblige them?*

I will only mention the Authorities.

I shall add one Case more, that absolutely destroys Mr. Recorder's Hypothesis upon which he relies, *That a Corporation cannot do or suffer any wrong*; it is 48 Ed. 3. 17. b.

The Mayor and Commonalty of *Lincoln* bring Covenant against the Mayor and Commonalty of *Derby*, upon a Deed of Covenants made by the Predecessors of those of *Derby* to the Predecessors of *Lincoln*; That those of the Town of *Lincoln* should be discharged from Toll, for their Merchandizes brought to *Derby*.

In their Count they assign for Breach, *That two of the Burgeses of Derby by Name, did exact and take Toll of several of the Burgeses of Lincoln.*

The Defendants first take exception to the Count for Variance from the Writ, That the Writ supposeth and alledgeth the Breach to have been committed by the Mayor and Commonalty, and the Count assigns the Breach by two Burgeses. The Exception is over-ruled, and the Count held pursuant to the Writ for the breach of Covenant, which binds the whole, and must be made by the Members.

Then it was insisted upon in point of Law, That the Act of the two Burgeses did not oblige the Corporation.

poration. It was admitted, That the Act of all the Members met together would oblige the Corporation : But it was resolved, that it was a breach, and obliged the Corporation ; and that the taking of Toll by their Officers, was a taking of Toll by the Corporation : And the Reason given is, That all the Members of the Corporation cannot by any common Intendment be understood, to meet together to take Toll. Here is an express Judgment, that *Crimen egreditur Personam*, and shall render the Corporation liable for Wrongs done to a particular Member of another Corporation.

Much stronger is the Case of the King upon breaches of the Condition in Law, as I have shewn, where the Acts of the particular Members committed against the King's Officers, are adjudged done against the King, and render the Corporation liable.

But when all meet together and do an Act, I may say, It was never yet doubted, but the Corporation was obliged.

The objection, that no Acts are corporate Acts or can affect the Corporation, but what are under the Common Seal, nothing certainly can be more vain than such an assertion.

Then no Major, Sheriffs or other Officers ever acted legally in their Choice by the Corporation, because not under the Common Seal.

Then no By-Laws are valid as corporate Acts, because not under the Common Seal : The same may be said by most of the corporate Acts in Cities and Towns. Read the Case of *Cambridge* before the King and Lords, 5 R. 2.

That the Common Council are but Ministers of the City, and the Liberty of the City, hath a special Protection against the personal Acts of the Ministers by the Charter in *Parl. 1 E. 3.*

I have a Copy of that Charter by me, from the Records in the Tower.

The King's Grant indeed is, *de assensu Prelatorum, Commitum, Baronum & totius Communitatis Regni in instanti Parlamento.*



The Considerations of the Charter are *pro melioratione Civitatis*, and for the laudable Services of the Major, Aldermen and Commonalty performed to the King and his Ancestors ; but the Grant is only *Civ. Civitatis prædict. habendum sibi & successorib. suis*, The words of the Grant are, *Quod pro aliqua personali transgressione vel Judicio personali alicujus ministri ejusdem Civitatis non Capiatur libertas illius in manum nostram vel heredum nostrorum, nec custos in eadem Civitate ea occasione deputetur, sed hujusmodi Minister prout qualitas transgressionis requirit puniatur.* These are all the words in that Charter which refer to this matter, and the same were granted to them, in some former Charters out of Parliament.

This appears by this Charter in Parliament, that *Libertas Civitatis* which is the Franchise or Corporation, had been seized, and might be seized for some personal miscarriages of the Ministers ; for it is merely the King's Grant that exempts them from it, for the time to come.

I do agree that every personal miscarriage of their Ministers was never any cause of forfeiture, but it must be miscarriages of Omission or Commission, which amounted to a Misgovernment within the Corporation. As,

30 H. 2. Rot. Gl. memb. 5. The City of London taken into the King's hands, for not levying a Hue and Cry upon the Death of Persons who were slain, *Hale Lib. L. fo. 269.*

H. 3. memb. 2. Their Liberty seized for giving of false Judgment in the Hushings, *Lib. L. 309.*

Many the like instances may be produced.

The principal Grounds of the Act, as the Act recites, were, that the notorious Errors, Defaults and Misprisions for Default of good Governance of the Mayor, Sheriffs and Aldermen of London, could not be enquired of, nor found by Men of the same City.

The Act settles the Rule, that for the first Default of the Mayor, Sheriffs and Aldermen, they shall forfeit 1000 Marks ; for the second offence 2000 Marks ; and for the third default, the Franchise and

Liberties

Liberties of the City, shall be taken into the King's hands, and this for the defaults of their Ministers, which is a plain Judgment in Parliament, that the Franchise of *London* may be forfeited; and explains the Charter of the 1st. *Ed.* 3.

But neither the Charter 1 *E.* 3. nor this Law did extend to any outrageous Acts of their Members; as Breach of their Duty and good Government, but only to the personal Acts of the Mayor, Sheriffs and Aldermen in their several trusts committed to their Managery.

Under this Law the City of *London* stood till 1 *H.* from which King the City expected greater favours than ordinary, as having merited them by being the chief Instruments of his promotion to the Crown; but the manner wherein they were instrumental I forbear to mention.

Yet from that King they could obtain no more as to the Forfeitures for the personal offences of their Ministers and Officers, than to be put into equal condition with other Cities and Boroughs. 1 *Hen.* 4. c. 1.

So then there can remain no Question, but that the Mayor, Sheriffs, Aldermen, and all the Commons in Council assembled, may commit Acts for which their Franchise may be seized.

For the Offences wherewith they are charged are both laid in the Replication, to be committed by the Mayor, Citizens and Commonalty of *London*, by which must be intended the whole Body.

The whole Body plead to it; but in the Rejoinder they do not Traverse, and deny they did the Facts: So that as to the Actors, it must be intended they are the same Persons who are sued and defend upon Record, which are all the Members of the Corporation.

I now come to the main Point of the Case.

*Whether by any thing disclosed upon those Pleadings, there appears a sufficient Title to the King, for the Court*

to give Judgment of Seizure of the Franchise of the City of London?

The Title I insist upon for the King, is for a Forfeiture by Acts done by the Mayor, Citizens and Commonalty in breach of their Duty, and the publick Trust reposed in them upon their first Erection.

The Causes assigned are sufficient in themselves, and sufficiently disclosed to the Court, for the Court to give Judgment upon:

First, The Crimes laid in the Replication, are two in general:

1. *Oppression of the King's Subjects by colour of Law:*  
And,

2. *Stirring up Seditions by Libelling their Prince and his Government.*

Never did *London* before now, or any other City or Borough (in times of Peace, and not under an actual Rebellion) ever commit the like Breaches upon the Government, to assume a Power superior to any the King hath in like cases, to lay burdens upon his People, and to levy Money; and to invade the King's Prerogative by deliberating and determining of his publick Actions to the consequences thereof, and publickly libelling them to the rest of his Subjects.

And in execution of such unjust Power, That the Mayor, Citizens and Commonalty, did make and publish a Law for levying of Money upon the King's Subjects, as well Foreigners as others, coming to the publick Markets with Provisions.

In this first branch of their levying Money there is this Crime laid to their charge.

*An Abusion of the Liberty of a Body Politick in its highest point of Trust, viz. of making Laws for the better government of its Members, and other the King's Subjects repairing to the City.*



To lay Impositions upon the King's Subjects, was not only an encroachment on Royal Power, but of the Power of Parliaments.

And what encroachments of Royal Power were Treason, what not, was in the breast of the Judges, as appears by the Petition in Parliament, 21 *Ed.* 3. *Nu.* 15. and after settled by the Statute 25 *Ed.* 3.

Certainly that they have an immediate tendency to a Rebellion is evident. To alienate the Subject's Affection from their Prince, is a great step that way; and for so great a Body of Men (both for Riches and Reputation) to adjudge and publish, That the King by his Prorogation hath interrupted the publick Justice of the Kingdom, and the necessary Provisions for his own safety, and the preservation of his *Protestant* Subjects, is in effect to determine and publish the King unfit for the Government, and by necessary consequence would alien the Affections of such as should believe them.

So that generally, whatever is an apparent breach of good Government, wherewith every Franchise is entrusted, will in point of Right between the King and the Franchise amount to a Forfeiture; because 'tis a breach of publick Trust, reposed in them by Law.

I shall conclude with the last Branch of the Crimes laid to their Charge;

*For Invading the King's Prerogative, and publickly Libelling of him and his publick Acts to the People.*

The Replication chargeth the several Facts thus:

1. That the Mayor, Citizens and Commonalty, in Common-Council assembled, maliciously, advisedly and seditiously, and without any lawful Authority took upon them to censure the King, and the Prorogation of Parliament made by the King.

2. They

- ‘ 2. They gave their Suffrages, and ordered a Petition should be presented to the King, in the Name of the Mayor, Aldermen and Commonalty, containing the scandalous Matter alleged.
- ‘ 3. That they maliciously, advisedly and seditiously, and to the intent the said Petition should be dispersed and made publick, to perswade them, That the King by the Prorogation had obstructed the publick Justice of the Kingdom, and to stir them up to a dislike of the King’s Person and Government, and to disturb the Peace of the Kingdom; did order the said Petition (containing the said scandalous matter) to be printed.
- ‘ 4. They afterwards maliciously, advisedly and seditiously, and to the intent that the Petition should be dispersed and published among the King’s Subjects, to alien and withdraw their Affections from the King and his Government, did print, and cause to be printed and published the said Petition, in contempt and scandal of the King and his Government, and to the promoting and exciting of Sedition and disturbance of the Peace within this Kingdom.

These Crimes at Common Law were *contra Pacem*, and punishable by Fine and Imprisonment in particular Subjects. Where committed by Persons in publick Office, or entrusted with Government and preservation of the Peace, they are of a deeper dye.

In the Title of the Statute, 13 Car. 2. cap. 1. for Preservation of the King’s Person and Government, they are called *seditious Practices and Attempts*; for prevention whereof that Law provides, ‘That if any Person or Persons shall maliciously and advisedly (by Writing or Printing) express, publish or declare any Words, sentence or thing, to incite or stir up the People to hatred or dislike of the Person of his Majesty, or the established Government; such Person is made incapable of any Office or Place of Trust, and

‘ to

‘to be further punished, according to the Common Law and Statutes in such Cases.

This Law takes notice they were Crimes at Common Law, and punishable as seditious Practices. Sir *James Baggs* Case allows *Conspiracies* and *ignominious Crimes* to be causes of Disfranchisement ; much more a Conspiracy of all the Members, to Libel the Government, and alienate the Affections of the People from their Prince.

Petitioning is lawful, and the City of *London* have often petitioned the King with good acceptance, and observed a good *Decorum* becoming Subjects, both in the matter and manner of their Petitions; they used not to advise or meddle in matters of State, but when sent for to advise, they confined themselves to the Affairs of the City.

They never before, as I have met with, charged the King's Acts of State as Interruptions of the Prosecution of publick Justice.

The Words of the Petition are,

‘ Your Petitioners were extreemly surprized at the  
‘ late Prorogation, whereby the Prosecution of  
‘ the publick Justice of the Kingdom ; and the  
‘ making the Provisions necessary, for the Preservation of your Majesty and your Protestant Subjects, hath raised an interruption.

To delay, interrupt or deny Justice, spoken of any Person intrusted with the Administration of Justice, and spoken of him in point of his Trust, always imports scandal.

The interruption of the publick Justice reflects upon his Justice in a high manner.

The interruption of the means of his own Preservation, besides his Justice reflects upon his Wisdom.

The interruption of the means for the Preservation of his Protestant Subjects impeacheth his mercy too, and chargeth the King with Cruelty to his Subjects, in taking no better care for their Preservation, when under such imminent Dangers ; with a secret



cret insinuation that as he had stopped Justice against his Popish Subjects, so he was regardless of the Preservation of his Protestants Subjects.

The Acts of inferior Magistrates, are not to be examined, censured and adjudged, much less scandalized by those that are under their Magistracy; That would let in Confusion and tend to the overthrow of all Government.

To say of a Justice of Peace, 'You have perverted Justice,' Actionable; *Seignior de la Ware and Pawlet, Trin. 37 El. More 409.*

*Mich. 1 Car. 1. Cro. 14. Sir John Isham versus Yorke;* 'I have been with Sir John Isham for Justice, but 'could never yet get any at his hands but Injustice.'

*Trin. 7 Car. Cro. 233. W. Marsham versus Briggs;* 'Sir William Marsham is but an half-ear'd Justice, he 'will hear but one side.'

*Mich. 8 Eliz. Rot. 1. Walsh* was indicted for scandalizing one Sir Robert Catline Chief Justice, and this Court, by saying, 'My Lord Chief Justice is incensed against me, I cannot have Justice, nor cannot be heard; for it is made a Court of Conscience.' He was afterwards discharged upon the general Pardon, 8 Eliz.

To publish a Libel is in no case lawful, be the Matter never so true, nay, though the Party who is Libelled be dead, and the degrees of the Crime, where against a private Person and where against a publick Person, appear in the Case cited by Mr. Solicitor in the Reports, fo. 125. And that it is against all Laws both of God and Man, and the Mischiefs there represented. In the Case of all Common Pleas the Offender shall be fined, and by the Statute of 13 Car. 2. all natural Persons are for the future disabled, and incapable of any Office or Place of Trust, where the Libel is against the King.

But where the Matter is false, and the Libel published against the King, to withdraw his Peoples Affections from him, and that by the joint Councils of a Corporation, there can little room for a Question remain; but they have broken their original Trust for  
good

good Government, and misused their Liberty to Licentiousness.

How Criminal is it for private Subjects to deliberate of, and determine, and publickly to censure the Councils and Actions of their Princes, will appear by the Case of *Stubs*, 21 & 22. *Eliz.*

The censuring of the Exercise of the King's lawful Prerogation, and charging it with the interruption of publick Justice, is of a more dangerous Nature.

Every natural Person convicted of this Offence, is by the Statute of 13 *Car. 2.* disabled for any publick Trust.

In this Process against the Whole, they have confessed it with the aggravations laid.

If the king pass not a Bill which the City of *London* have a mind to, this rejection of such Bill shall in Print be published to all his Subjects, to be a denial of Justice.

If the King reprieve a Malefactor, it shall be a delay or interruption of publick Justice.

To pardon a Malefactor, shall be a denial of the publick Justice of the Kingdom.

So that the Tenor whereby the City of *London* hold their Franchise, and all their Liberties, will be quite changed and altered, without the aid of an Act of Parliament.

The City will no longer hold all their Liberties from the Crown *quam diu se bene gesserint*, which was their ancient Tenure, reserved by the Crown and the Laws of the Land upon their first Erection, but will gain *absolutum Dominium*.

And the King shall exercise no just Prerogative, but at their good pleasure; otherwise they will blast him to his People, and alien their Affections from him.

I have this Day brought them in Judgment before the Court, in order to their Cure.

Nothing remains for effecting of the Cure, but the Judgment of the Court for Seizure of the Franchise of *London* into the King's hands; which I demand for the King.

Mr.

## Mr. Pollexfen, upon another day for the City, his Argument.

**I**N this Case, when I consider the greatness and consequence of it, That it affects the King, the Parliament, the Laws, the very Government under which we have lived, this great City of *London*, and all other Corporations and People of *England*, and their Posterities, for ever. I cannot but be troubled, that I should be the Man to whose Lot it should fall to argue it; but that which comforts me is, that your Lordship and the Court, upon whom the Judgment of this great Case depends, will help out my Defects, and according to what is required in the great Places you bear, take care and provide, that by your Judgment the ancient Government and Laws of this Kingdom receive no Damage or Alteration.

The King's Counsel have on their side only some general words out of old Records of Forfeitures and Seizures of Liberties, which are of uncertain and doubtful sense; but there is not on their side produced any one Precedent, Judgment, or Opinion, to maintain the point in question, *viz. That a Corporation, or Body Politick, ever was determined, or dissolved, or taken away for a Forfeiture.* No, not in the maddest of Times, in the Times of *Edward the IIId.* and *Richard the IIId.* when the Tumults and Disorders were so great, that they not only seized and took away Liberties and Franchises, but the Lives of Princes, Nobles, Judges, Lawyers, and all that stood in their way: In those times, though they have hunted and searched with all diligence, not one instance of a Corporation taken away, or dissolved by a Forfeiture is cited. So that from hence, I hope, I may safely conclude, that I argue in this case for the old and known Laws, as they have been ever practised through all Ages, and against that which never hath been practised

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tized or known, which is a great Encouragement to me.

Having thus harangued the Court, he produced the following Authorities.

1. *Magna Charta.*
2. *Stat. 1. E. 3.*
3. *Stat. 7. R. 2.*

The King's Council have not denied *Magna Charta* to be a Statute, but have denied the other two to be Statutes, or Acts of Parliament; and the reasons given by them are,

Obj. 1. *Because not in Print, nor Roll of it to be found; or because no body knows where to find it.*

Resp. 1. Private Acts of Parliament do not use to be Printed, few are.

2. *No Roll to be found;* Suppose there were not, doth this after so long a time conclude there was none such, especially since Mr. Solicitor was pleased to acknowledge that there are no Parliament Rolls of *E. 3.* till *4 E. 3.*

It is true that almost all the Parliament Rolls of *H. 3. E. 1. E. 2.* and till *4 E. 3.* are almost all lost. But besides in those days publick Acts were not only entred upon the Parliament Rolls, but from thence transcribed, and sent under the Great Seal to be published by the Sheriffs of the Counties, in the Cities and Boroughs, and also by Writ to the Courts in *Westminster-Hall* to be there entred and recorded, of which there are many found, especially in the *Exchequer*, and hence came the rule in Law, that Judges *ex Officio*, are bound to take notice of general Acts of Parliament: But for private Acts they were put under the Great Seal, and the Parties interested had the same to produce. But that these in this Case should be questioned to be Acts, is strange. But to prove them Acts: First,

1. As to the Act *1 E. 3.*

1. We have pleaded it under the Great Seal of King *E. 3.* that made it with a *profert hic in Cur'* and

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shewn it with our Plea as we ought; and this is Evidence sufficient of it self. If the same produced under the Great Seal put to it when made, be not sufficient Evidence to satisfy, what can be?

2. But in this Case it is enrolled upon record also, *Inter placita Corona penes Camerarios in Scaccario*; it is enrolled there.

*Obj.* But perhaps it may be objected also, That this was no Act of Parliament, but only a Grant or Patent in Parliament; because 'tis that the King *de assensu Prelator' Comitum Baron' ac totius Communitat' regni in presenti Parlamento.*

*Resp.* That Acts of Parliament observe not any certain Form.

In the Case of the Earldom of Oxford express, that there was variety in Penning Acts of Parliament in ancient

time, *Dominus Rex per Consilium fidelium subditor' suor' statuit*, and other forms there are; yet good Acts. But that they were anciently in form of Patents or Grants in Parliament, *Magna Charta*, C. 1. is in form of a Charter or Grant. The form of the Act of Par-

liament 11 E. 3. for creating the Prince, Prince of Wales, begins *Edwardus Dei gratia*, &c. in form of Patent, and is *De communi assensu & consilio Prelator'*

*Comitum Baron' & aliorum de consilio nostro in presenti Parlamento*, and adjudged a good Act of Parliament fol. 18, 19, 20. are so full, that it might be thought that this objection would never have been made. And

that this is in the same form that all the rest of the Acts of this very Parliament of the 1 E. 3. are, appears by the Patent Roll of the same Parliament. A Char-

ter granted by the King *de assensu Prelator' Comitum Baron' Communit' Regni in Parlamento apud Westm'* to enable the City to apprehend Felons in Southwark.

An Act in the same form for annulling the Conviction of Treason that was against *Roger Mortimer*, in the time of *E. 2.*

Rot. Claus.  
1 E. 3 M.

An Exemplification then entred of an Act made in the same form in the same Parliament, for the annulling the Attainder of *Thomas Earl of Lancaster*, attainted *tempore. E. 2.*

Rot. Pat. 2 E.  
3. P. S. 1. M.  
17.

Divers other Acts of Parliament in the same form made 1 E. 3. for annulling divers other Attainders that were *tempore E. 2.* so that as to this Act of Parliament 1 E. 3. I think the Objections are answered, and that it is an Act as pleaded.

Rot. Pat. 2 E.  
3. P. S. 2 M.  
11. Inst. 2.  
527. 639.

And as to the other Act 7 R. 2. that that is no Act of Parliament, only a Prayer of the Commons that there might be a Patent granted to the City, confirming their Liberties, *licet usi vel abusi fuerint*; and the answer was, *Le Roy le vueult*, and object for Reasons against that being an Act of Parliament.

Obj. 1. It wants the assent of the Lords.

2. It is only a Prayer of the Commons to have their Liberties confirmed, and the King's answer *le Roy le vueult*, but nothing done to confirm it.

Resp. 1. As to the first Objection.

Supposing it true that there is no mention made of the assent of the Lords, yet the Act is a good Act.

1. It appears to be in Parliament *ad instantiam & requisitionem & Communitat' Regni nostri in presenti Parlamento.*

2. The answer in Parliament that is given by the King to the making all Laws is given to this, [*le Roy le vueult.*]

*Selden's Mare Claus.* 249. gives a full Resolution herein: *Certissimum est*, saith he, *that according to Custom no Answer is given, either by the King, or in the King's Name, to any Parliamentary Bills, before that the Bill, whether it be brought in first by the Lords, or by the Commons, hath passed both Houses;* as it is known to all that are versed in the Affairs and Records of Parlia-



ment. And in the Prince's Case, before-cited, there the Act is said to be *de Assensu & Consil'* of the Lords, but doth not name the Commons, and this answers the other Reason also, *viz.* That it should only be a Prayer and Petition also, to have a Charter of Confirmation granted : For since the Forms are in manner of Petitions, since the Royal Assent or Words, *Le Roy le vicult*, is never put to any Bills in Parliament, but such as are thereby made and passed into Laws, the giving the Royal Assent is sufficient in this Case to prove it a Law. But for farther Evidence,

1. We have it under the great Seal of King R. 2. thus penn'd : *Ad instantiam & requisitionem Communit' Regni nostri Angl' in presenti Parlamento nostro pro majori Quiete & Pace inter Legeos nostros, focendis, & pro bono publico de assensu Prelatorum Dominor' Procerum & Magnat' nobis in eodem Parlamento assistentium, &c.* So that hereby it is fully proved, and shewn, that though the Assent of the Lords be not mentioned in the Copy, yet that it was had, and under the Great Seal of R. 2. it so appears. We have

*Lib. H. f. 169.*  
*a & b.*

also in our Book of the Acts of that time in the City, the Proclamation made upon the first promulging this Act, in the time of Sir Nicholas Brembre, Lord Mayor, and therein it is also entred in the same words, as before, under the Great Seal of R. 2. *de assensu Prelator'*, &c. Next our Books and continual Practice ever since: 'Tis true, that in the 7 H. 6. fol. 1. when 'tis said, that the Customs of London were confirmed by Statute, *Quare* what Statute ; but it is not there made a *Quare* whether this were a Statute ; *Instit.* 4. 250. *Rep.* 5. 63. *Rep.* 8. 162. all say that the Customs of London are confirmed by Parliament, 7 R. 2. Justice Jones 283. hath it *verbatim* out of the Parliament Roll. The constant course of pleading the Customs of London is to plead a confirmation of them by this Act of Parliament : So that as to this point there is not any one Book or Opinion, before this day, in favour of what is affirmed, that these are not Acts of Parliament ; and our Plea stands good in Law, and the

the Ordinance, and By-Law, and Custom good, and then no Forfeiture thereby.

3. But suppose and admit, that this By-Law be the Act of the Corporation, be not good and sufficient in Law, nor in Law justifiable, *Quid sequitur?* Then it is void in Law. Then if it be void in Law, How can it make a Forfeiture? Suppose a Lessee for years, or for Life, makes a Feoffment, but it is not duly executed for want of Livery and Seisin, by which it is void in Law, Can this make a Forfeiture of the Estate of the Lessee? &c.

Upon the whole Matter,

If this Information brought against the Body Politick for usurping to be a Body Politick, ought to have been brought against the particular Persons.

If it be repugnant or contradictory, that a Corporation can usurp to be a Corporation; that a Body Politick or Being can usurp to be a Body Politick or Being, before it had a Being, or to be that same Body Politick or Being, which it was when it did usurp.

If forfeiting a Franchise, or Liberty, or other Estate, cannot determine or vest that Franchise or Estate in the King till the Forfeiture appear on Record. Then the old Corporation supposed to be forfeited, if it were so, did notwithstanding, and yet doth continue in Being, there being no Record to determine it; and consequently that which is pretended a new one by Usurpation is impossible.

If by Seizure into the King's hands (as pretended) the Continuance of the Corporation be intended; how inconsistent is it with Law or Justice to continue any thing in the King that is wrongfully usurp'd, and the Parties to be punished, fined, and committed for usurping.

If Mr. Attorney's Replication taking issue upon our Prescription to be a Corporation, and going over and alledging several distinct Causes of Forfeitures, cannot by Law be maintained; and in the Example doth introduce a way to bring all mens Estates subject to Mr. Attorney's will and pleasure. For, let any man's Right be as good as can be, it will be scarce possible

to defend it, if such Pleadings as in his Replication be allowable by Law.

Then be the matter in Law as much against us as possible; yet Mr. Attorney can have no Judgment for him upon this Information.

Next, Supposing the Information all good in Law. Yet,

If the Judgments, Records, and Authority that have been cited by them for Seizures, do plainly shew that Seizures and Forfeitures are very different in their Natures. That the Corporations all continued notwithstanding the Seizures: And the Seizure was only the King's putting in Mayors and Officers to act in them instead of the others Elected or Constituted by the Corporation, and they remain Corporations by Prescription to this day, and never were forfeited, dissolved, or determined by such Seizures.

If the general Authorities in Books that the misusing or abusing a Franchise be truly applicable to Franchises (that are Estates and Interests grantable or conveyable from man to man) and never were intended of such a thing as is rather a Capacity or Being, than a Franchise.

If there be no Case, or Precedent, or Opinion to be found for it. If of the contrary, the particular Cases cited prove, that where the Corporations have by Mis-carriages forfeited particular Franchises, they do not forfeit their Corporations: If there be scarce any Corporation in *England*, that have not at some time or other done something they should not, or omitted to do something they should, and thereby forfeited their Corporation, and consequently all are Usurpers, and their corporate Acts since done all void.

If the Corporation here hath done nothing, but that the Mayor, Aldermen, and Common-Council, are only Delegates, Deputies, or Ministers of the Corporation for particular Purposes.

If Servants, Deputies, or Delegates, do that which they have no Authority to do, they must answer for it in their own Persons; but their Masters, or those that deputed or delegated them for another purpose, they



they are innocent; they shall not suffer by it, though no Acts of Parliament had been in the Case.

If the Acts of Parliament against seizing the Liberties of the City, for, or by reason of any miscarriage of their Officers or Ministers, extend to these Acts of the Mayor, Aldermen, and Common Council.

If so be that these Acts were the Acts of the Corporation; yet with submission, if they have shewn a good and legal Right by their Custom and Title, to make By-Laws for regulating and settling the Markets and Tolls, and that which they have done be as pleaded reasonable, and that there was reasonable Ground at that time for their Petition which they have set forth.

If all these particulars that I have now summ'd up be against me, then Judgment must be against me; though I know not what that Judgment can be.

But if any one of these particulars, thus repeated, be for me, and against Mr. Attorney; then Mr. Attorney can have no Judgment against the City; but Judgment must be for them. Which I humbly pray.

The next Term, viz. *Trin.* 35 C. 2. Ch. Justice *Saunders* dying the day of the Judgment given, or the next day after, Mr. Justice *Jones*, Justice *Raymond*, and Justice *Withens*, being in Court, Justice *Jones* pronounced the Judgment of the Court, and Justice *Raymond*, and Justice *Withens* affirmed, that Chief Justice *Saunders* was of the same Opinion with them, and that they all agreed.

1. That a Corporation aggregate might be seized.

That the Stat. 28 E. 3. c. 10. is express, that the Franchises and Liberties of the City, upon such Defaults, shall be taken into the King's hands.

And that Bodies Politick may offend and be pardoned, appears by the general Article of Pardon, 12 C. 2. whereby Corporations are pardoned all Crimes and Offences.

And the Act for regulating Corporations, 13 C. 2. which provides that no Corporation shall be avoided for any thing by them mis-done or omitted to be done,

done, shews also that their Charters may be avoided for things by them mis-done, or omitted to be done.

2. That exacting and taking Money by the pretended By-Law, was Extortion, and a Forfeiture of the Franchise of being a Corporation.

3. That the Petition was scandalous and libellous, and the making and publishing it a Forfeiture.

4. That the Act of the Common-Council was the Act of the Corporation.

5. That the Matter set forth in the Record did not excuse or avoid those Forfeitures set forth in the Replication.

6. That the Information was well founded. And Gave Judgment that the Franchise should be seized into the King's hands, but the Entry thereof respited till the King's pleasure was known in it. Justice *Raymond* and Justice *Withens* declare, that they were of the same Opinion *in omnibus*.

And accordingly after Entry made by Mr. Attorney, That as to the Issue joined to be tried by the Country.

As to the claiming to have and constitute Sheriffs.

As to the having the Mayor and Aldermen to be Justices of the Peace, and to hold Sessions, *quod ipse pro Domino Rege ulterius non vult prosegui.*

Judgment is entred. *Ideo consideratum est quod prefat' Major & Communitas ac Cives Civitat' Lond'* as to the Issue aforesaid, betwixt our Lord the King and them joined, and as to the Liberties and Franchises aforesaid by them claimed, to have and elect Sheriffs, and to have their Mayor and Aldermen to be Justices of the Peace, and hold Sessions,

*Eant inde sine die salvo jure Dom. Regis, si al', &c.*

*Et quoad dictas separales materias in lege unde tam pred' Att' Gen' quam pred' Major & Communitas & Cives Civitat' pred' posuerunt se in Judicium Curie,* the Court advise till Trinity Term, and then *pro eo quod videtur Curia hic quod prefat' Major & Communitas ac Cives Civitat' pred' forisfecerunt Domino Regi nunc Libertat' Privileg' & Franchef. pred' ob causas in Replica-*  
con

con' prefat' Attorn' Gen' superius specificat' quod Placita prefat' Major' & Communitat' ac Civium Civitat' pred' superius rejuugendo & repellando in ea parte placitat' materiag; in iisd' content' minus sufficien' & invalid' in lege existunt ad precludend' dict' Dom' Reg' a Forisfactura pred' aut ad Major' & Communitat' ac Cives Civitat' pred' ad clamand' Libertat' Privileg' & Franchef. pred' sibi alocand' & adjudicand' manutenend' maturaq; deliberacione superinde prius habit'.

Considerat' est, qd' Libertat' Privileg' & Franchef. pred' fore de seipsis unum Corpus corporat' & Politic' in re facto & nomine per nomen Majoris Communitatis & Civium Civitat' Lond' ac per idem nomen placitare & implacitari, respondere & responderi per eosd' Majorem & Communitatem, ac Cives Civitat' London pred' superius clamat' capiantur & seisiuntur in manus Domini Regis & quod prefat' Major & Communitas ac Cives Civitat' Lond' pred' capiantur ad satisfaciend' dict' Dom' Reg' de Fine suo pro Usurpatione Libertat' Privileg' & Franchef. predict'.



A N  
A C T  
F O R

Reversing the Judgment in a *Quo Warranto*,  
against the CITY of LONDON,  
and for restoring the same, to its ancient  
Rights and Privileges.

*Anno 2. W. M. Sess. 1. 3.*

**W**HEREAS a Judgment was given in the Court of *King's-Bench* in or about *Trinity* Term, in the 35th Year of the Reign of the late King *Charles* the II<sup>d</sup>. upon an Information in the Nature of a *Quo Warranto*, exhibited in the said Court against the Mayor, and Commonalty, and Citizens of *London*, that the Liberty, Privilege, and Franchise of the said Mayor, and Commonalty, and Citizens, being a Body Politick and Corporate, should be seized into the King's hands as forfeited: And forasmuch as the said Judgment, and the Proceedings thereupon, is and were Illegal and Arbitrary; and for that the restoring of the said Mayor, and Commonalty, and Citizens, to their ancient Liberties, of which they had been deprived, tends very much to the Peace and good Settlement of this Kingdom:

II. BE it Declared and Enacted by the King and Queen's most excellent Majesties, and with the Advice and Consent of the Lords Spiritual and Temporal,  
and

and Commons, in this present Parliament assembled, and by Authority of the same, that the said Judgment given in the said Court of *King's-Bench* in the said *Trinity* Term, in the 35th Year of the Reign, of the said King *Charles* the II<sup>d</sup>, or in any other Term; and all and every other Judgment given or recorded in the said Court, for the seizing into the said late King's hand, the Liberty, Privilege, or Franchise of the Mayor, and Commonalty, and Citizens of the City of *London*, of being themselves a Body Corporate and Politick, by the Name of the Mayor, and Commonalty, and Citizens of the City of *London*, and by that Name, to plead, and be impleaded, and to answer, and to be answered, or in what manner, or words soever such judgment was enter'd, is, shall be, and are hereby revers'd, annulled, and made void, to all intents and purposes whatsoever; and that Vacates be entered on the Rolls of the said Judgment, for the vacating and reversal of the same accordingly.

III. AND be it further Declared and Enacted by the Authority aforesaid, that the Mayor and Commonalty, and Citizens of the City of *London*, shall and may for ever hereafter remain, continue, and be, and prescribe to be a Body Corporate and Politick, *in re, facto, & Nomine*, by the Name of Mayor, and Commonalty, and Citizens of the City of *London*, and by that Name, and all, and every other Name and Names of Incorporation, by which they at any time before the said Judgment were incorporated, to me, plead, and be impleaded, and to answer, and be answered, without any Seizure, or Fore-judger, of the said Franchise, Liberty, and Privilege, or being thereof excluded and ousted, for or upon any pretence, of any Forfeiture, or Misdemeanour, at any time heretofore or hereafter to be done, committed, or suffered; and the said Mayor, and Commonalty, and Citizens of the said City, shall and may, as by Law they ought, peaceably have and enjoy all and every their Rights, Gifts, Charters, Grants, Liberties, Privileges, Franchises, Customs, Usages, Constitutions, Prescriptions, Im-

Immunities, Markets, Duties, Tolls, Lands, Tenements, Estates, and Hereditaments whatsoever, which they lawfully had, or had lawful Right, Title, or Interest, of, in, or to, at the time of the recording or giving the said Judgment, or at the Time or Times, of the said pretended Forfeitures.

IV. AND be it enacted by the Authority aforesaid, that all Charters, Letters Patents, and Grants for incorporating the Citizens, and Commonalty of the said City, or any of them, and all Charters, Grants, Letters Patents, and Commissions, touching or concerning any of their Liberties of Franchises, or the Liberties, Privileges, Franchises, Immunities, Lands, Tenements, and Hereditaments, Rights, Titles, or Estates of the Mayor, and Commonalty, and Citizens of the City of *London*, made or granted to any Person, or Persons whatsoever, by the late King *Charles* the II<sup>d</sup>, since the said Judgment given, or by the late King *James* the II<sup>d</sup>, be and are hereby declared and adjudged null and void, to all intents and purposes whatsoever.

V. PROVIDED nevertheless, that no Recoveries, Judgments, Statutes, Recognizances, Inquisitions, Indictments, Presentments, Informations, Decrees, Sentences, Executions, nor any Complaints, Process, or Proceedings in Law and Equity, had, made, given, taken, or done, or depending, in the Mayors, or either of the Sheriffs Courts, or any other Court, within the said City, or Liberties thereof, since the said Judgment given, shall be avoided for want, or defect, of any legal Power in those, that acted as Judges, Justices, Officers, or Ministers of, in, or, as belonging to any of the said Courts; but that all and every such Recoveries, Verdicts, Judgments, and other things above-mentioned, and the Actings, Doings, and Proceedings thereupon, shall be of such and no other Force, Effect, and Virtue, than as if such Judges, Justices, Officers, and Ministers, had acted by Virtue of legal Authority; and that no Person,  
or



or Persons, shall be in any wise prosecuted, sued, impeached, or molested, for any cause, or thing by him or them lawfully acted or done, in pursuance of any such Charters, Letters Patents, Grants, or Commissions.

VI. PROVIDED, That this Act shall not extend to discharge any Person or Persons from any Penalty, or Penalties, or Forfeitures by him, or them incurr'd, for not duly qualifying him or themselves to act on the said Charters, Letters Patents, Grants, or Commissions.

VII. AND be it enacted by the Authority aforesaid, that all Officers, and Ministers of the said City, that rightfully held any Office or Place in the said City, or Liberties thereof, or in the Borough of *Southwark*, at the time when the said Judgment was given, are hereby confirmed, and shall have and enjoy the same as fully as they held them, at the time of the said Judgment given, except such as have voluntarily surrendered any such Office or Place, or have been removed for any just Cause; and that every Person who, since the said Judgment given, hath been chosen, admitted, and placed into any Office or Employment within the said City, upon the Death, Surrender, or Removal, as aforesaid, of the former Officers, shall be and is hereby confirmed in his said Office or Employment, and shall have and enjoy the same in as full and ample manner, as if he had been admitted or placed therein, according to the ancient Customs of the said City.

VIII. PROVIDED also, and be it enacted by the Authority aforesaid, that all Leases and Grants of any of the Lands, Tenements, Hereditaments, and other things, before the time of the said Judgment given, belonging to the said Mayor, and Commonalty, and Citizens, and usually leased or granted by them, made since the time of the said Judgment given, by the said late King *Charles* the II<sup>d</sup>, or King *James*

the II<sup>d</sup>, or by any Person or Persons taking upon them to be trusty for the said City, for the Preservation or Maintenance of the Government, or publick Offices for the said City, by or upon pretence, of any Grant or Commission by their said late Majesties, King *Charles* the II<sup>d</sup>, and King *James* the II<sup>d</sup>, or either of them, such Grants or Leases, being made for just, good, and valuable Considerations, and whereupon the old accustomed yearly Rent, or more, hath been reserved, payable into the Chambers of *Bridge-House*, or any of the Hospitals of the said City, shall be as good and valid for the Terms and under the Rents, Payments, Provisoos, Conditions, Covenants, and Agreements therein respectively contained, against the Mayor and Commonalty, and Citizens, and their Successors, as if the same had been made by the Mayor and Commonalty, and Citizens of the said City, under their Common Seal, and the said Judgment had never been given, and not otherwise. And the said Mayor and Commonalty, and Citizens and their Successors, shall have the Benefit and Advantage of all Rents, Reservations, Payments, Conditions, Covenants, Clauses and Agreements in every such Grant or Lease contained; And the like remedy for Non-payment, Breach, or Non-observance thereof, as if the said Grants or Leases had been made by the said Mayor and Commonalty and Citizens, and the said Rents, Payments, Conditions, Covenants, Clauses, and Agreements had been made Payable, Reserved, Covenanted, or Agreed to and with the said Mayor and Commonalty, and Citizens.

IX. AND be it further Enacted by the Authority aforesaid, That all Judgments, Decrees and Sentences had or obtained by any Person or Persons, taking upon them to be Trustees as aforesaid, for or concerning any Lands, Tenements, Duties, Tolls, and Interests whatsoever, of or belonging to the said Mayor and Commonalty, and Citizens of the said City, shall stand and remain in force, and shall be prosecuted and executed by, and to and for the Use of  
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the said Mayor, and Commonalty, and Citizens, as if the same had been obtained in the Name of the said Mayor and Commonalty, and Citizens, and that all Persons, being natural-born Subjects or Denizens, that have been admitted into the Freedom of the said City since the Judgment given, shall be free thereof, and have and enjoy the said Freedom to all intents and purposes, as if they had been thereunto admitted before the said Judgment.

X. PROVIDED always, that the present Mayor, Sheriffs, Chamberlain, and Common Council of the said City, shall continue until a new Election shall be made of such Officers, and the Persons elected, sworn into their respective Offices, and that such Election be made at the times hereafter mentioned; that is to say, the Election of the Mayor, and Sheriffs, and Chamberlain, shall be made on the six and twentieth Day of *May*, in the Year one thousand six hundred and ninety; and the Election of the Common Council, shall be made on the tenth Day of *June*, in the Year one thousand six hundred and ninety; and such Persons, so elect, shall continue till the usual times of Election of such Offices, according to the ancient Usage and Custom of the said City, and from thence shall continue till the Year ensuing.

XI. PROVIDED nevertheless, and be it enacted, That the Mayor, Sheriffs, Chamberlain, and Common Council, which were in being at the time, at the said Judgment given, shall be and continue in those respective Offices and Places, till new Elections be made of the like Officers and Common Council, according to the ancient Usage and Custom of the said City.

XII. AND be it further Enacted, That all Persons so to be restored and continued, shall be and are hereby required to take the Oaths appointed by a certain Act made in the first Year of their Majesties Reign, Intituled, *An Act for the abrogating the Oaths of*



*Supremacy and Allegiance, and appointing other Oaths,*  
the next Term after such Restitution, under the Penalties, Forfeitures, Disabilities, and Incapacities in the said Act provided and appointed.

XIII. AND be it Enacted that the Mayor, Sheriffs, and Chamberlain, so to be elected, shall be sworn in usual manner, on or before the twentieth Day of *June* next ensuing.

XIV. AND be it enacted by the Authority aforesaid, That all and several of the Companies and Corporations of the said City, shall from henceforth stand and be incorporated by such Name and Names, and in such sort and manner, as they respectively were at the time of the said Judgment given, and every of them are hereby restored to all and every the Lands, Tenements, Hereditaments, Rights, Titles, Estates, Liberties, Powers, Privileges, Precedencies, and Immunities, which they lawfully had and enjoyed at the time of giving the said Judgment; and that as well all Surrenders, as Charters, Letters Patents, and Grants, for new incorporating any of the said Companies, or touching or concerning any of their Liberties, Privileges or Franchises, made or granted by the said late King *James* the II<sup>d</sup>, or by the said King *Charles* the II<sup>d</sup>, since the giving of the said Judgment, shall be void, and are hereby declared null and void, to all intents and purposes whatsoever. Provided nevertheless, That no Person or Persons shall be in any wise prosecuted, sued, impeached, or molested, for any cause or thing by him or them lawfully acted, or done, in pursuance of any such Letters Patents, or Grants.

XV. PROVIDED also nevertheless, and it is hereby further Enacted by the Authority aforesaid, That all Leases, Terms and Estates made or granted by any of the said Companies since the giving of the said Judgment, for just and valuable Considerations, and whereupon the old accustomed yearly Rents, or more,

more, are reserved, shall stand, and be of the same Force and Effect, as if the same had been made or granted by the said several Companies as hereby restored; and the said respective Companies and their Successors shall have the Benefit and Advantage of all Rents, Reservations, Payments, Conditions, Covenants, Clauses and Agreements, in all and every such Lease or Grant contained, and the like remedy therefore, as if the same Grants and Leases had been made by the said respective Companies as now restored, and the said Rents, Payments, Conditions, Covenants, Clauses, and Agreements had been made Payable, Reserved, Covenanted, and Agreed to or with them respectively.


XVI. PROVIDED also, and be it further Enacted, That all and every Person and Persons, who at any time since the said Judgment have been admitted into the Freedoms of, or into the Liveries of the said Companies, according to the Usages and Customs of the said City, and their respective Companies, shall be and enjoy all the Rights and Privileges of a Freeman and Liveryman, to all intents and purposes, as if they had been admitted before the said Judgment.

XVII. PROVIDED always, and be it Enacted by the Authority aforesaid, That this present Act of Parliament shall be accepted, taken, and reputed to be a general and publick Act of Parliament; of which, all and every the Judge and Judges of this Kingdom in all Courts, shall take Notice on all occasions whatsoever, as if it were a publick Act of Parliament relating to the whole Kingdom; any thing herein contained to the contrary thereof, in any wise notwithstanding.



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# APPENDIX:

Containing, The Charter granted by His Present Majesty to the City of *London*, for the Increase of *Justices of Peace*.

**G**EORGE the Second, by the Grace of God, of *Great-Britain, France and Ireland*, King, Defender of the Faith, and so forth. To all to whom these Presents shall come greeting: Whereas, Our Royal Predecessor, King *Charles* the First, late King of *England*, by his Letters Patent under the Great-Seal of *England*, bearing Date at *Westminster*, the eighteenth Day of *October*, in the fourteenth Year of his Reign, did give and grant to the Mayor and Commonalty, and Citizens of the City of *London*, and their Successors, amongst other Things, that the then Mayor and Recorder of the said City, and the Mayor and Recorder of the said City for the Time being, and as well those Aldermen who before that Time had sustained and borne, as those Aldermen who thereafter should have sustained and borne, the Charge and Office of Mayoralty of the said City, altho' they should cease from the Mayoralty, or should be dismissed therefrom, so long as they should remain Aldermen there, and the three senior Aldermen of the said City, for the Time being, who should have been longest in the Office of Aldermanship, and had not before sustained and borne the Charge and Office of Mayoralty of that City for ever, should be all and every of them a Justice and Justices, to preserve and keep the Peace of the said King, his Heirs and Successors, within the said City of *London* and Liberties of the same, and appointed the said Lord Mayor and Recorder, for the Time being, to be of the *Quorum*. And whereas, Our Royal Predecessors, King *William* and Queen *Mary*, by certain other Letters Patent, under their Great-Seal of *England*, bearing Date, at *Westminster*, the eight-and-twentieth Day of *July* in the fourth Year of their Reign, reciting the said



## APPENDIX.

former Letters Patent of King *Charles* the First, and reciting also, that the said Mayor and Aldermen, by their humble Petition, had represented to their said Majesties, that the Number of Justices of the Peace constituted within the said City, by the said Letters Patent of King *Charles* the First, were so few, that by reason thereof, it frequently happened that Justice could not be administered within the said City with so much Expedition, so commodiously, and in such a Manner, as might be most expedient for their said late Majesties Service, and the Utility of their Subjects; their said late Majesties, therefore, by their said recited Letters Patent, did grant to the said Mayor and Commonalty, and Citizens of the City of *London*, and their Successors, that six other Aldermen of the said City for the Time being, who then were, or for the future should be next in the Office of Aldermanship to the three senior Aldermen, mentioned and constituted Justices of the Peace in the said first-mentioned Charter, and, who then had borne, and thereafter should have borne the Office of Sheriff of the said City, besides, and beyond the three senior Aldermen, as aforesaid, should for ever, thereafter, be Justices of the Peace, within the said City of *London* and Liberties thereof; and these six Aldermen, with the Mayor and Recorder, for the Time being, as well as those Aldermen who had borne the Office of Mayoralty; and the aforesaid three senior Aldermen, or any four of them, whereof the said Mayor, or Recorder for the Time being, to be one, are by the said last recited Letters Patents, constituted Justices of the Peace for the said City and Liberties, with the same Powers as are granted to the Justices of the Peace of any County of this Kingdom, as by the said several recited Letters Patent, (amongst divers other Matters and Things, therein contained, Relation being thereto respectively had) may more fully and at large appear. *And whereas* the Lord Mayor and Aldermen of the said City of *London* have, by their Petition, humbly represented unto Us, that since the granting the said last mentioned Letters Patent, the Duties of the Justices of the Peace, within the said City and Liberties,

are

## APPENDIX.

are, by many Acts of Parliament, very much increased, so that the Petitioners, who are constituted Justices by the said Charter, have, for the more speedy and effectual Execution of Justice, agreed amongst themselves, to sit daily, by Turns, in the Guildhall of the said City for the public Administration of Justice; and that the Petitioners most humbly conceive it will be for the public Utility of all Our Subjects, within the said City and Liberties, and that Justice may still be more commodiously and expeditiously administered, if the present Number of Justices of the Peace, within the said City of *London* and Liberties thereof, was increased. And the Petitioners further represent, that the Lord Mayor and Recorder being the only Justices of the *Quorum*, if by Sickness, or other unavoidable Accident, it should happen that neither may be able to attend the Session, great Inconveniencies may arise; the Petitioners therefore, have humbly besought Us to grant to Our good Subjects, the Mayor and Commonalty, and Citizens of the said City, that, for the future, the Mayor, Recorder, and all the Aldermen of the said City, for the Time being, may be Justices of the Peace for the said City of *London* and Liberties thereof, and that all those Aldermen for the Time being, who shall have borne and sustained the Office of Mayoralty of the said City may be of the *Quorum* as well as the Mayor and Recorder. We being willing to gratify the Petitioners in their Request; Know ye therefore, that We of our special Grace, certain Knowledge and meer Motion, have given and granted, and by these Presents, for Us, Our Heirs and Successors, do give, and grant, to the Mayor and Commonalty of the City of *London*, and their Successors, that the Mayor, Recorder, and all the Aldermen of the said City of *London*, for the Time being, and every of them, be for ever hereafter a Justice and Justices of the Peace, of Us, Our Heirs and Successors, within the said City of *London* and Liberties thereof; And we do, by these Presents, for Us, Our Heirs and Successors, constitute, make and ordain, the Mayor, Recorder, and all the Aldermen of the said City of *London*, for the Time being, and

## APPENDIX.

and every of them, or any four of them, (of whom the Mayor and Recorder, or any one of the Aldermen, who have sustained the Office of Mayoralty, for the Time being, We will, shall be always one) Justices of Us, Our Heirs and Successors, within the said City of *London* and Liberties thereof, to keep, and cause to be kept all and singular Statutes and Ordinances, in all their Articles made, and to be made, for the Preservation of the Peace of Us, of Our Heirs and Successors, and for the peaceable ruling and governing the People of Us, Our Heirs and Successors, as well within the said City as the Liberties thereof, according to the Form and Effect of the same, and to correct and punish in the Manner prescribed by those Statutes and Ordinances, all such Persons who shall be found offending within the said City and Liberties thereof, against the Form and Effect of the same Statutes and Ordinances or any, or either of them, and to demand such sufficient Security for the Peace, or good Behaviour towards Us, Our Heirs and Successors, and all the Subjects of Us, Our Heirs and Successors, of all such Persons who shall send Threatnings to any Subject, or Subjects, of Us, Our Heirs and Successors, concerning their Bodies, or the Burning their Houses; and if they shall refuse to find such Security, then to cause them to be safely kept in our Goal of *Newgate*, or in any other Prison of Us, Our Heirs and Successors, in our said City of *London*, until they shall have found such Security; and to do and perform all and singular other Matters and Things, which any Justices or Keepers of the Peace of Us, Our Heirs and Successors, within any County of that Part of Our Kingdom of *Great Britain*, called *England*, may, can, or ought to do, and perform, by Virtue of any Statutes and Ordinances of this Part of our Kingdom of *Great Britain*, called *England*, or by Virtue of any Commission of Us, Our Heirs and Successors, to preserve the Peace in any such County. In Witness whereof, We have caused these Our Letters to be made Patent. Witnesses, *John* Archbishop of *Canterbury*, and other Guardians and Justices of the Kingdom, at *Westminster*, the twenty-fifth Day of *August*, in the fifteenth Year of Our Reign. By Writ of Privy Seal, Cocks.

FH

MVSEVM

BRITANNICVM